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United States Supreme Cou

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NO. \_\_\_\_\_

**In the Supreme Court of the United**

**RUTH TORRES,**

Petitioner

v.

**BONNIE LEE GOLDSTEIN, et al.,**

Respondents.

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**On Petition for a WRIT OF CERTIORARI**

**UNITED STATES COURT OF APPEALS, FIFTH CIRCUIT**

Case No. 24-11021, Justices Smith, Graves & Engelhardt

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**UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS**

No: 3:24-CV-1843, Judge Jane J. Boyle & Magistrate Renee H. Toliver

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**PETITION FOR WRIT OF CERTIORARI**

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## QUESTIONS PRESENTED

1. Whether judicial immunity bars all relief—including injunctive or declaratory relief—where state judges acted in the clear absence of jurisdiction and where a state judicial commission later sanctioned one judge for denying due-process.
  - b) Whether U.S. Const. amend. XIV, § 1 due process and equal protection guarantees were violated when state Administrative Regional Judge’s Wheless presided over summary judgment hearing—without lawful assignment—after prior recusal in related procedure, directed the clerk to reject Petitioner’s answer, and despite lack of statutorily required twenty-one-day hearing notice, issued a permanent, state-wide injunction barring Petitioner’s to be employed in her lawful profession.
2. Whether state judges are disqualified—after a finding by a state judicial oversight body—or via acting lacking jurisdiction and with clear bias, thereby rendering judges orders void under the Due Process and Equal Protection Clauses of the Fourteenth Amendment.
3. Whether appeal not taken in good faith and categorizing Petitioner’s constitutional claims as “frivolous” was warranted because the claims challenged judicial rulings and despite pleading sufficiency and plausibility.

4. Whether a federal district and appellate court may summarily dismiss a *pro se* 28 U.S.C. § 1983 action as “frivolous” against judicial officers without conducting meaningful *de novo* review of magistrate recommendations, contrary to 28 U.S.C. § 636(b)(1)(C), Rule 72(b)(3) and this Court’s precedent.
5. Whether a Fifth Circuit erred in holding that the district court’s *sua sponte* dismissal was implicit denial not requiring a ruling on Motion for Recusal and Motion for Change of Venue.
6. Whether appointment of counsel was unwarranted when Petitioner had filed multiple pleadings but had obtained no relief or justice despite ten years of diligent efforts in exceptional, rare, complex constitutional case presents no non-frivolous issues for appeal, in conflict with this Court’s precedents on access to courts and fundamental fairness.
7. Whether the state and federal judicial officers actions are so egregious and outrageous in blatantly and repeatedly violating Petitioner’s constitutional rights that they shock the conscience.

## PARTIES TO THE PROCEEDINGS

Petitioner: Ruth Torres, proceeding *pro se*.

Respondents:

1. Hon. Bonnie Lee Goldstein,
2. Hon. Raymond G. Wheless,
3. Hon. Robert D. Burns,
4. Hon. Amanda L. Reichek,
5. Hon. Ken Molberg,
6. Hon. Dennise Garcia,
7. Hon. Robbie Partida-Kipness,
8. Hon. Dale Tillery, each in their official capacities within the Texas Judiciary.

## NOTICE OF RELATED CASE

Petitioner hereby provides notice of related case for which Petition of Writ of Certiorari is due April 13, 2026, *United States ex rel. Texas v. Abbott*, No. 25-10671, 2026 WL 93133 (5th Cir. Jan. 13, 2026) appeal on *United States ex rel. Torres v. Abbott*, No. 3:24-cv-01842 (N.D. Tex., 2024).

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**CONFLICT SUMMARY: Fifth Circuit Holdings vs. Supreme Court Authority**

Fifth Circuit Holding (June 10, 2025)	Conflict / Controlling Supreme Court Case	Constitutional or Legal Principle
<p>1. Judicial immunity bars all claims as well as declaratory and injunctive relief.</p> <p>Constitutional claims were “frivolous” because they challenged judicial rulings.</p> <p>Appeal not taken in good faith.</p>	<p style="text-align: center;"><i>Mireles v. Waco</i>, 502 U.S. 9 (1991);  <i>Forrester v. White</i>, 484 U.S. 219 (1988);  <i>Pulliam v. Allen</i>, 466 U.S. 522 (1984);  <i>Stump v. Sparkman</i>, 435 U.S. 349 (1978);  <i>Ex parte Young</i>, 209 U.S. 123 at 136 (1908).  <i>Bell Atlantic Corp. v. Twombly</i> (2007); <i>Ashcroft v. Iqbal</i> (2009);  <i>Daniels v. Williams</i>, 474 U.S. 327 (1986);  <i>Coppedge v. United States</i>, 369 U.S. 438 (1962);  <i>Ex parte Hull</i>, 312 U.S. 546 (1941).</p>	<p>Immunity does not apply when a judge acts in the clear absence of subject-matter jurisdiction or performs non-judicial acts.</p> <p>Judicial immunity does not preclude prospective declaratory or injunctive relief to halt ongoing constitutional violations.</p> <p>Federal courts retain authority to enjoin ongoing violations of federal law by state officials, including judicial officers.</p> <p>Access to court and due-process claims are not frivolous when alleging fundamental fairness violations.</p> <p>A complaint may not be dismissed when it sufficiently states a claim that is plausible on its face.</p> <p>An appeal is in good faith if any issue is not clearly frivolous; where substantial constitutional questions exist contravenes <i>Coppedge</i>.</p>
<p>2. Disciplinary findings</p>	<p style="text-align: center;"><i>Tumey v. Ohio</i>, 273 U.S. 510 (1927);</p>	<p>Due process forbids</p>

Fifth Circuit Holding (June 10, 2025)	Conflict / Controlling Supreme Court Case	Constitutional or Legal Principle
by the Texas State Commission on Judicial Conduct and lack of jurisdiction and clear bias have no due-process consequence.	<i>Ward v. Village of Monroeville</i> , 409 U.S. 57 (1972); <i>Caperton v. A.T. Massey Coal Co.</i> , 556 U.S. 868 (2009)	adjudication by a biased or disqualified judge; orders issued by such a judge are void.
3. District court's wholesale adoption of the magistrate's report satisfied "de novo" review.	<i>Gomez v. U.S.</i> , 858 (1989); <i>United States v. Raddatz</i> , 447 U.S. 667 (1980); <i>Mathews v. Eldridge</i> , 424 U.S. 319 (1976)	§ 636(b)(1)(C) requires meaningful de novo review; cursory adoption denies due process.
4. Denial of recusal and change-of-venue motions need not be expressly ruled upon.	<i>Liteky v. United States</i> , 510 U.S. 540 (1994); <i>In re Murchison</i> , 349 U.S. 133 (1955)	Courts must address bias and impartiality directly; implicit denials violate due-process fairness.
5. Appointment of counsel unwarranted due to Plaintiff's ability to file numerous pleadings.	<i>Eagan v. Dempsey</i> , 987 F.3d 667 (2021); <i>Turner v. Rodgers</i> , 564 U.S. 431 (2011); <i>Gideon v. Wainwright</i> , 372 U.S. 335 (1963); 28 U.S.C. A 1915 (e) (1); 42 U.S.C.A. § 1983	Safe-guards are required, including appointment of counsel for exceptional, rare civil cases involving constitutional violations by government officer(s).
6. Dismissal affirmed. En Banc Review denied.	<i>Rosales-Mireles v. United States</i> , 585 U.S. 129 (2018); <i>County of Sacramento v. Lewis</i> , 523 U.S. 833 (1998); <i>West Virginia State Board of Education v. Barnette</i> , 319 U.S. 624 (1943); <i>Home Bldg. &amp; Loan Ass'n v. Blaisdell</i> , 290 U.S. 398 (1934); <i>U.S. v. Lee</i> , 106 U.S. 196 (1882).	"[I]n a due process challenge to executive action, the threshold question is whether the behavior of the governmental officer is so egregious, so outrageous, that it may fairly be said to shock the contemporary conscience."

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## **JURISDICTION**

- Jurisdiction lies under 28 U.S.C. § 1254(1).
- The Fifth Circuit entered judgment June 10, 2025.
- A timely petition for rehearing en banc was denied November 3, 2025.
- Application to extend the time to file a petition for a writ of certiorari from February 1, 2026 to April 2, 2026 was submitted January 27, 2026 to the Honorable Justice Alito and granted on February 2, 2026.
- The filing deadline has been extended to April 2, 2026 pursuant to Supreme Court Rule 13.5.

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

- U.S. Const. amend. I (right to petition the Government for redress of grievances).
- U.S. Const. amend. IV (citizens protection from unreasonable search, seizure and right to privacy in persons, papers and effects).
- U.S. Const. amends. V, § 1 and XIV, § 1 (No deprivation of liberty or property absent Due Process and Equal Protection Clauses).
- 28 U.S.C. § 1983.
- 28 U.S.C. § 636(b) and (c) (magistrate judge authority).
- Fed. R. Civ. P. 72(b)(3) (de novo review of magistrate recommendations).

## STATEMENT OF THE CASE

Petitioner, a whistleblower and *pro se* non-attorney litigant, was a defendant in a state civil case before Judge Bonnie Lee Goldstein, 44th District Court of Dallas County, Texas. Without statutorily required bond and upon orally ordering Petitioner to agree to the Temporary Injunction, Judge Goldstein appointed and ordered a private “IT expert” to search, seize and erase all contents of Petitioner’s personal laptop and iPhone. Petitioner objected but complied. Petitioner’s property was erased and physically destroyed. However, the IT Expert did not delete emails containing the evidence Judge Goldstein and opposing counsel sought to destroy and deprive Petitioner of. Therefore, Petitioner retained possession of evidence despite fully submitting to Judge Goldstein’s order.

In a related case where Petitioner sought payment for unpaid wages before Judge Staci Williams, Petitioner used this same evidence at a Show Cause hearing on Petitioner’s Motion for Contempt to show the same opposing counsel was withholding evidence and committing fraud to the court. Opposing counsel and the court thought the evidence had been destroyed by the IT expert until this usage revealed Petitioner was still in possession. Judge Williams found opposing counsel in contempt. Immediately afterwards, opposing counsel sent an ex-parte email to Judge Goldstein requesting Petitioner be held in contempt for using the evidence in the related case before Judge Williams. Judge Goldstein immediately issued order holding Petitioner in contempt striking Petitioner’s counterclaims with prejudice absent motion, notice or hearing.

The Texas State Commission on Judicial Conduct subsequent to an excessive delay issued private sanction for retraining as a district court judge, for denying Petitioner due process. During this delay Judge Goldstein was elected to the state Fifth Court of Appeals. Nevertheless, Judge Goldstein's orders remain in effect.

In a third related case, Unauthorized Practice of Law Committee ("UPLC"), filed suit against Petitioner for filing answer and challenge to jurisdiction for claims against Petitioner's entities. UPLC refused Petitioner's demands to produce committee records establishing authority to bring suit. In this related Rule 12 proceeding, Administrative Regional Judge Ray Wheless was recused by the presiding state officer. However, UPLC was not required to produce the requested records.

The UPLC case was assigned to Judge Kristina Williams. After recusal in the related proceeding, Administrative Regional Judge Raymond G. Wheless—without case assignment—appeared to preside over summary judgment hearing on seven-days' notice (Tex. R. Civ. P. 166a requires 21 days). Judge Wheless orally ordered the clerk to reject Petitioner's answer, granted UPLC's Motion for Summary Judgment issuing permanent state-wide injunction which bars Petitioner from her human-resources occupation statewide causing Petitioner over \$1.8 million in economic loss and continuing at \$200,000 per year.

Petitioner diligently sought relief in state and federal courts. State mandamus and appeals were summarily denied. The federal district court *sua*

*sponte* dismissed her § 1983 complaint under 28 U.S.C. § 1915(e)(2)(B) as “frivolous”. The district court adopted the magistrate’s recommendation without analysis or response to Petitioner’s challenges. The Fifth Circuit affirmed, holding these issues as frivolous and barring relief asserting absolute judicial immunity.

## REASONS FOR GRANTING THE PETITION

### I. The Fifth Circuit's absolute-immunity ruling conflicts with *Mireles*, *Forrester*, *Pulliam*, *Stump* and *Ex parte Young*.

The Fifth Circuit affirmed dismissal by holding that Petitioner's claims "stem from orders the defendants issued in litigation" and therefore fall squarely within judicial immunity. (5th Cir. Op. at 3). The panel's conclusion conflicts with this Court's rule that immunity is not absolute where the act is performed *in the clear absence of jurisdiction* or is *non-judicial in nature*.

In *Mireles v. Waco*, 502 U.S. 9, 12 (1991), this Court held that immunity is lost when a judge acts "in the absence of all jurisdiction." "Relevant inquiry in determining whether judge's actions were taken in 'judicial capacity,' . . . is nature and function of act, . . . normally performed by judge." *Id.* Administrative acts are deemed non-judicial and not shielded. *Forrester v. White*, 484 U.S. 219, 227 (1988). "A clear absence of all jurisdiction" removes immunity. *Stump v. Sparkman*, 435 U.S. 349, 356-57 (1978).

Here, Judge Goldstein's authorization of search, seizure and destruction of Petitioner's private property by a private "IT expert" pursuant to no lawful injunction bond was an administrative or investigatory act, not a judicial adjudication, nor a function normally performed by a judge and is thus outside the judicial function. *Id.* at 229. The subsequent Texas State Commission on Judicial

Conduct sanction confirms that Judge Bonnie Goldstein's actions violated due process and were not legitimate exercises of judicial power.

Further, Administrative Regional Judge Wheless had a clear absence of all jurisdiction when he presided over a case not assigned to him and when he had already been recused in a related proceeding. UPLC failed to establish UPLC had authority to bring suit and its petition and motion failed to meet state statutory requirements. Notice of hearing on Motion for Summary Judgment was received seven (7) days in advance not the twenty-one (21) days required (Tex. R. Civ. P. 166a) and noticed Judge Kristina Williams would preside. However, Judge Wheless suddenly appeared for the hearing, orally directed the clerk to reject Petitioner's answer, granted UPLC's motion and issued permanent injunction barring Petitioner from working in her field state-wide.

Therefore, the Fifth Circuit's dismissal denies Petitioner the right to petition the Government for redress of grievances in violation of U.S. Const. amend. I, denies Petitioner protection from right to privacy, papers and effects, unreasonable search, seizure and destruction of property in violation of U.S. Const. amend. IV, and deprives Petitioner of ability to work in her lawful chosen profession and her property absent due process and equal protection guaranteed under U.S. Const. amends. V, § 1 and XIV, § 1.

**Judicial immunity does not bar prospective relief.**

Further, *Pulliam v. Allen*, 466 U.S. 522, 541-42 (1984), explicitly preserves injunctive and declaratory relief against judicial officers for constitutional violations. The continuing enforcement of Judge Goldstein’s and Judge Wheless’s orders—each entered without jurisdiction—constitutes ongoing violation of Petitioner’s due-process rights and substantial harm. Petitioner seeks to invalidate and enjoin orders still in effect. The Fifth Circuit’s contrary approach creates a direct conflict with this Court and undermines Petitioner’s right to an injunction to “prevent [a government actor] from doing that which he has no legal right to do.” *Ex parte Young*, 209 U.S. 123 at 136 (1908).

**The standard for proceeding *in forma pauperis* was misapplied and labeling constitutional claims “frivolous” because they challenged judicial rulings in violation of *Ex parte Hull*, *Coppedge* and First, Fifth and Fourteenth Amendments.**

Under *Coppedge v. United States*, 369 U.S. 438 (1962), an appeal is “in good faith” if it raises “any issue that is not clearly frivolous.” *Ex parte Hull*, 312 U.S. 546 (1941), held that prisoners—and by extension other litigants—have a constitutional right to access the federal courts to present colorable constitutional claims per this Court’s directive that good-faith litigants not be foreclosed from review for raising debatable constitutional issues. A complaint

survives a motion to dismiss when it satisfies the plausibility requirement “contain[ing] sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face” and “above the speculative level.” *Ashcroft v. Iqbal* (2009), 556 U.S. 662 (2009); *Bell Atlantic Corp. v. Twombly*, 550 U.S. 554 (2007).

Petitioner presented colorable due-process violations and jurisdictional issues, with sufficient factual matter to meet and exceed the plausibility requirement, including confirmation by a state judicial commission of denial of due process. The panel’s characterization of Petitioner’s appeal as “frivolous,” dismissing substantial constitutional violations duplicates and furthers violations of U.S. Const. amends. I, V and XIV, § 1.

**II. The panel ignored the due-process effect of formal judicial discipline, clear lack of jurisdiction and bias, contradicting *Caperton, Ward, Liteky, Tumey, In re Shelley Luther, and Ex parte Leshner*.**

Petitioners are entitled to a fair trial in a fair tribunal as a basic requirement of due process. *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009). If there is denial of a neutral and detached judge in the first instance, it renders the orders void. *Ward v. Village of Monroeville*, 409 U.S. 57 (1972). This Court requires recusal

whenever impartiality might reasonably be questioned. 28 U.S.C.A. §455(a); *Liteky v. United States*, 510 U.S. 540 (1994).

We have held that **failure to meet the requirements of rule Tex. R. Civ. Proc. §683 renders the injunction order “fatally defective and void, whether specifically raised by point of error or not.”** *Qwest Comm. Corp. v. AT & T Corp.*, 24 S.W.3d 334, 337 (Tex.2000) (*per curiam*); *see also InterFirst Bank San Felipe, N.A. v. Paz Constr. Co.*, 715 S.W.2d 640, 641 (Tex.1986) (*per curiam*). The Texas Supreme Court held the injunction did not meet the standards of Tex. R. Civ. Proc. §683 because the restraining order did not cite the specific state, county, or city regulation Luther allegedly violated. *In re Shelley Luther, No. 20-0363; (Tex. 2021)*.

Contempt orders **MUST** be in writing, not oral, **AND** include command language to create an order enforceable by contempt. *Ex parte Wilkins*, 665 S.W.2d 760,761 (Tex.1984); *Ex parte Durham*, 921 S.W.2d 482,486 (Tex. App.-Corpus Christi 1996, orig. proceeding). *Ex parte MacCullum*, 807 S.W.2d 729,730 (Tex.1991); *In re Sellers*, 982 S.W.2d 85,87 (Tex. App.-Houston [1st Dist.] 1998, orig. proceeding); If an order does not comply with Tex. R. Civ. Proc. §684, which is **MANDATORY**, it is void on its face and “will not support an order of contempt.” *Ex parte Leshner*, 651 SW 2d 734, 736 (Tex. 1973). If a temporary injunction is void on its face because the trial court waived the bond requirement, it will not support an order of contempt for non-compliance.

Here, the Temporary Injunction failed to cite the specific state, county, or city regulation Petitioner allegedly violated and lacked a bond making it fatally flawed non-compliant with Tex. R. Civ. Proc. §§683 and 684. Judge Goldstein issued the contempt order based on an oral order and lacking command language after receiving ex-parte communication from opposing counsel. When a state's own ethics body determines misconduct denying due process, continuing enforcement of that judge's orders violates requirement of an impartial decision-maker and the structural due-process principle that "no man may be a judge in his own cause." *Tumey v. Ohio*, 273 U.S. 510 (1927); *Caperton v. A. T. Massey Coal Co.*, 556 U.S. 868 (2009).

When the Texas State Commission on Judicial Conduct found that Judge Goldstein denied Petitioner due process, Judge Goldstein was constitutionally disqualified, and her orders became void yet these orders still stand harming Petitioner years later. Because the Commission issued "private sanction" for retraining as district court judge, Petitioner was barred from the records and the non-typical eighteen-month delay resulted in Judge Goldstein being elected to the state Fifth Court of Appeals.

Administrative Regional Judge Wheless showed clear lack of jurisdiction and bias. He presided over a case not assigned to him, knowing he had already been recused in a related proceeding. He orally ordered the clerk to reject Petitioner's answer and the clerk complied. He granted UPLC's motion for summary judgment

despite insufficiency of petition and motion, and despite lack of statutorily required twenty-one-day hearing notice. The permanent, state-wide injunction is exceedingly broad and intentional to chill employment in Texas and attempt to force Petitioner out of the state of Texas.

By the Federal District Court refusing to adhere to state law to find the orders issued by Judges Goldstein and Wheless void, the Fifth Circuit entrenched a system where a demonstrably biased judge continues to bind the same litigant, and benefit from the private sanction with promotion to the state appellant court, abridging Petitioners U.S. Const. amends. V, § 1 and XIV, § 1 protections.

**III. The Fifth Circuit's deference to the district court's failure to conduct meaningful *de novo* review violated Rule 72(b)(3), 28 U.S.C. §636, Article III, and U.S. Const. amends. I, V and XIV, § 1.**

A U.S. Const. art. III violation occurs if a district court judge adopts a magistrate judge's recommendation on a dispositive motion without conducting a *de novo* review when proper objections have been filed. Under 28 U.S.C. § 636(b)(1), the ultimate authority to make final decisions must remain with an Article III judge to satisfy constitutional requirements. The Federal Magistrates Act carefully defines grant of authority to magistrates. A result nor related order can stand if a magistrate exceeds his jurisdiction and there is no meaningful review by a district judge. *Gomez v. U.S.*, 490 U.S. 858 (1989). The district judge must determine de

novo any part of the magistrate judge's disposition that has been properly objected to. Fed. R. Civ. Proc. §72(b)(3). This Court has emphasized that a district judge must engage in independent assessment of a magistrate's recommendation.

"De novo determination . . . must be substantive," not merely formal with "fresh consideration." *United States v. Raddatz*, 447 U.S. 667, 676 (1980). A rubber-stamp affirmance without findings offends *Mathews v. Eldridge*; 424 U.S. 319 (1976).

Moreover, this Court held that due process requires "an opportunity to be heard at a meaningful time and in a meaningful manner, . . . requir[ing] consideration of three distinct factors: private interest that will be affected by official action; risk of erroneous deprivation of such interest through procedures used; . . . and government's interest." *Id.*

Magistrate Toliver lacked authority to *sua sponte* dismiss under 28 U.S.C.A. §§ 636 (b)(1)(A)<sup>1</sup> and (b)(3)<sup>2</sup>. The panel concluded that "the record reflects ... the district court conducted the requisite de novo review." (Slip op. 2). The district court's adopted the magistrate's recommendation without findings, discussion or addressing any of Petitioner's objections.

Magistrate Toliver's actions far exceeded statutory authority to issue findings and recommendation issuing order **preemptively prohibiting** Torres from filing

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<sup>1</sup> "(1) Notwithstanding any provision of law to the contrary—  
(A) a judge may designate a [magistrate judge](#) to hear and determine any pretrial matter pending before the court, except a motion for injunctive relief, . . . to dismiss for failure to state a claim upon which relief can be granted, and to involuntarily dismiss an action."

<sup>2</sup> "A [magistrate judge](#) may be assigned such additional duties as are not inconsistent with the Constitution and laws of the United States."

amended complaint and motion for appointment of counsel during in forma pauperis “judicial screening” and made *sua sponte* dispositive decisions in F,C&R thereby denying due process and equal protections inconsistent with precedent and publicly disclosed the related case which was statutorily under seal.

Magistrate delegated duties should not include *sua sponte* ability to dismiss constitutional claims absent consent of the parties. The F,C&R references authority under “Special Order 3”. Torres found 38 separate orders under heading Special Order 3.<sup>3</sup> It is unclear what specific order is intended with no specificity as to delegated authority and duties.

Diligent research found no established rule or order delegating *sua sponte* dismissal authority to any magistrate, except arguably under consent of 28 U.S.C. §636(c). *In forma pauperis* cases are consistently and almost exclusively subject to 28 U.S.C. §1915(e)(2) screening with preemptive orders barring amendment and motion for appointment of counsel resulting in over 98% *sua sponte* dismissals against government defendants with a lack of publicly accessible statistical reporting<sup>4</sup>. Commonality of error should not sway this court due to the vulnerabilities and incapacities of pro se in forma pauperis litigants to overcome *sua sponte* dismissal. **The court is regularly blatantly and intentionally denying due process and equal protections to benefit government defendants.**

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<sup>3</sup> U.S. Dist. Ct. N.D. Texas, Special Orders, <https://www.txnd.uscourts.gov/special-order-3>

<sup>4</sup> U.S. Dist. Ct. N.D. Texas, Statistics, <https://www.txnd.uscourts.gov/statistics>

The Fifth Circuit acted with extreme bias on behalf of state judicial officers by *sua sponte* dismissal and refusal to issue service after defendants failed to waive service as required. Fed. R. Civ. Proc. §4(d). Due to the clear bias by state and federal judges, Petitioner has been repeatedly deprived of any meaningful judicial examination in violation of 28 U.S.C. § 636(b)(1)(C), U.S. Const. amends. I, V and XIV, § 1 and Fed. R. Civ. Proc. §72(b)(3).

**V. The Fifth Circuit's denial of recusal and venue motions without ruling violates *Liteky* and *Murchison*.**

This Court requires recusal whenever impartiality might reasonably be questioned. 28 U.S.C.A. §455(a); *Liteky v. United States*, 510 U.S. 540 (1994). Explicit findings where bias is alleged is required. *Id.* “[J]ustice must satisfy the appearance of justice.” *In re Murchison*, 349 U.S. 133, 136 (1955). The panel treated the district court’s failure to rule on Petitioner’s motions for recusal and change of venue as “implicit denial.” (Slip op. 3). Implicit denial fails to provide appearance of impartial justice.

## VI. Denial of counsel conflicts with *Gideon* and *Turner*.

The right to counsel is fundamental in exceptional cases. Tex. Gov't Code §2001.053; *Gideon v. Wainwright*, 372 U.S. 335 (1963). While civil, this case implicates severe loss of liberty and livelihood. *Turner v. Rogers*, 564 U.S. 431 (2011) requires safe-guards to ensure a fair hearing where the opposing party is the state or represented officials. "In determining whether an indigent civil litigant, who has filed a motion for appointment of counsel, ... a court should consider whether the difficulty of the case, factually and legally, ... recognize that complexity increases and competence decreases as a case progresses... beyond the ability of most pro se litigants to successfully carry out. The prejudice question, regarding a district court's abuse of discretion in denying an indigent civil litigant's motion for appointment of counsel, is not whether the case was a sure winner but for the absence of counsel, which is impossible to know; rather, **the question is whether assistance of counsel could have strengthened the preparation and presentation of the case in a manner reasonably likely to alter the outcome.**" *Eagan v. Dempsey*, 987 F.3d 667 (2021); 28 U.S.C.A. 1915 (e)(1); 42 U.S.C.A. §1983.

Plaintiff had affidavits of inability to pay and repeatedly moved for appointment of counsel, which were all denied. This case is unique therefore Plaintiff has been unable to locate a similar case to compare it with. In addition, this case involves public and private interests making this an exceptional case, rare

and unusual, per Tex. Gov't Code §24.016. Further, because of lack of counsel, especially against a state judicial board, agency or state officials where the court has shown clear bias, it is so prejudicial; it creates a lack of access to substantial due process.

The Fifth Circuit asserts that since Plaintiff demonstrated ability in preparing filings, appointment of counsel was not warranted ignoring statute and precedence. The Fifth Circuit ignored these principles despite pro se in forma pauperis Plaintiff was deprived of privacy, property, ability to work in her profession permanently on a state-wide basis by state government officials despite dozens of pleadings.

## **VII. These government actions shock the conscience and create national significance.**

“[I]n a due process challenge to executive action, the threshold question is whether the behavior of the governmental officer is so egregious, so outrageous, that it may fairly be said to shock the contemporary conscience.” See *County of Sacramento v. Lewis*, 523 U.S. 833, 848, n. 8, 118 S.Ct. 1708, 140 L.Ed.2d 1043 (1998). This Court has said that the “shock the conscience” standard is satisfied where the conduct was “intended to injure in some way unjustifiable by any government interest,” or in some circumstances if it resulted from deliberate indifference. *Id.*, at 849–850, 118 S.Ct. 1708; *Rosales-Mireles v. United States*, 585

U.S. 129, 137–38, 138 S. Ct. 1897, 1906, 201 L. Ed. 2d 376 (2018); U. S. Const. amends. V and XIV, § 1.

Here, Judge Goldstein ordered pro se Petitioner to submit personal property to a private “IT Expert” to search, seize and destroy Petitioner’s property with the intent of destroying evidence of whistleblowing and held Petitioner in contempt based solely on ex-parte communication from opposing counsel. Judge Raymond Wheless presided over a case not assigned to him after being recused in a related matter. Despite UPLC failure to show authority to bring suit, insufficient pleadings and only seven days’ notice instead of the statutorily required twenty-one-days-notice, Judge Wheless issued a permanent state-wide injunction prohibiting Petitioner from working in her 20+ year profession as a Human Resources Consultant and Executive, for which standard Human Resources Executives job descriptions require providing advisement on employment law compliance. These government actions denied Petitioner substantive and procedural due process rights and blatantly, repeatedly violated her constitutional rights. Such should shock the conscience of this Court.

We the people desire and demand, “Equal Justice Under the Law”, not inscribed in walls of stone but inscribed on the heart of every judicial officer demonstrated in every order. Worse than Justice Hugo Black’s observation, “There can be no equal justice where the kind of trial a [wo]man gets depends on the amount of money he has,” is the litigant that can’t even get to trial for the same

reason. Justice Robert H. Jackson encapsulates the guarantees of our Constitution from rule by monarchy or any election: “The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy. One’s right to life, liberty and property, to free speech, a free press, freedom of worship and assembly may not be submitted to vote; they depend on no elections.” *West Virginia State Board of Education v. Barnette*, 319 U.S. 624 (1943); U. S. Const. amend. I. “Whatever is reserved of state power must be consistent with fair intent of constitutional limitation of that power.” *Home Building & Loan Assn. v. Blaisdell*, 290 U.S. 398 (1934). As Chief Justice Charles Evans Hughes noted, “If the provisions of the Constitution be not upheld when they pinch as well as when they comfort, they may as well be abandoned.” *Id.*

Left intact, the Fifth Circuit ruling effectively immunizes judicial officers for unconstitutional acts even where (1) they have been formally sanctioned, and (2) they acted without jurisdiction. This result erodes the cornerstone principle that “no man in this country is so high that he is above the law.” *United States v. Lee*, 106 U.S. 196, 220 (1882). Supreme Court intervention is essential to reconcile the Fifth Circuit’s deviation from established constitutional and procedural safeguards.

## CONCLUSION AND PRAYER FOR RELIEF

The Fifth Circuit's unpublished decisions conflict with this Court's foundational precedents on rule of law, judicial immunity, due process, and access to justice. Left uncorrected, it places judges beyond constitutional accountability even after findings of misconduct and erodes public trust in the rule of law if judicial immunity may cloak acts taken in clear absence of jurisdiction; when a state tribunal's confirmed due-process violation is ignored to maintain enforcement of illegal judicial orders; and when federal courts may summarily dismiss such claims without meaningful review.

For the reasons detailed herein, Plaintiff pleads this court find orders issued by biased, disqualified judges are void<sup>5</sup> as impartiality is a fundamental part of constitutional due process<sup>6</sup>. Just as Torres asserts exception to judicial immunity applies to state judicial defendants **lacking jurisdiction**<sup>7</sup> conspiring<sup>8</sup> to act under color of law<sup>9</sup> to violate Torres' constitutional rights or failing to perform their duty

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<sup>5</sup> *New York Life Insurance Co. v. Brown*, 84 F.3d 137 (5<sup>th</sup> Cir. 1996), (quoting *Williams v. New Orleans Pub. Serv., Inc.* 728 F.2d 730, 735 (5<sup>th</sup> Cir. 1984)(quoting 11 Charles Alan Wright, Arthur Miller & Mary Kay Kane, Federal Practice and Procedure §2862 (1973 ed)))...judges whose failure to disqualify is so egregious as to violate due process, are void, and thus subject to relief under Rule 60(b)(4). See: *Tumey v. Ohio*, 273 U.S. 510, 523 (1927), holding that nondisqualification gives rise to due process problems when the judge has “a direct, personal, substantial, pecuniary interest” in a case, and when judge exhibits a “probability of bias” per *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868,884 (2009).

<sup>6</sup> *Aetna Life Ins. Co. v. Lavoie*, 475 U.S. 813, 825 (1986) (quoting *In re Murchison*, 349 U.S. 133, 136 (1955))

<sup>7</sup> “taken in the complete absence of all jurisdiction...judicial immunity can be overcome.” *Jones v. King*, 701 F.Supp.3d 552 (2023).

<sup>8</sup> 42 U.S.C. § 1985

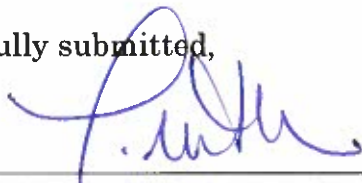
<sup>9</sup> 42 U.S.C. § 1983

to prevent the conspiracy<sup>10</sup>, so the same applies to federal judicial officers<sup>11</sup> warranting injunction per *Feltz*<sup>12</sup> and relief per Rule 60 (b)(4).

Accordingly, Petitioner Ruth Torres respectfully prays that this Honorable Court:

1. Grant the **Petition for Writ of Certiorari**;
2. **Vacate** the judgment of the United States Court of Appeals for the Fifth Circuit; and
3. **Remand with GRANT of appointment of counsel and GRANT of Change of Venue** for proceedings consistent with this Court's precedent and constitutional requirements.

Respectfully submitted,



Ruth Torres, *Petitioner Pro Se*  
3330 N. Galloway Ave., Ste. 304 PMB 131  
Mesquite, Texas 75150  
Tel: (214) 680-9119  
Email: [t.ruth828@icloud.com](mailto:t.ruth828@icloud.com)  
Date: April 2, 2026

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<sup>10</sup> 42 U.S.C. § 1986

<sup>11</sup> 42 U.S.C. §§ 1983, 1985, 1986

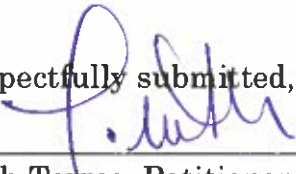
<sup>12</sup> *Feltz v. Regalado*, 751 F.Supp.3d 1198 (N.D. OK, 2024), Holding: equal protection and procedural due process claims valid, injunctive relief granted against judge and state actor.

## RULE 33.1 CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(g), I certify that this Petition for Writ of Certiorari:

1. Complies with the type-volume limitation because it contains approximately 4,094 words, excluding the parts exempted under Rule 33.1(d).
2. Complies with the typeface and style requirements because it has been prepared in Century Schoolbook, 12-point font, double-spaced.

Respectfully submitted,



---

Ruth Torres, Petitioner, pro se  
3330 N Galloway Avenue, STE 304, PMB 131  
Mesquite, TX 75150  
Phone: 214-680-9119  
Email: t.ruth828@icloud.com

Date: April 2, 2026

NO. \_\_\_\_\_

In the Supreme Court of the United States

**RUTH TORRES,**

Petitioner

v.

**BONNIE LEE GOLDSTEIN, et al.,**

Respondents.

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**PROOF OF SERVICE**

I, Ruth Torres, do swear or declare that on this date April 2, 2026, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and PETITION FOR WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and the first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

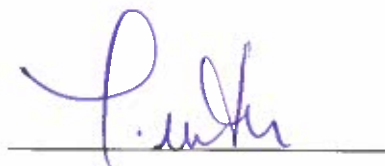
The names and addresses of those served by electronic mail AND first-class mail, postage prepaid, are the following:

<b>Respondents:</b>	<b>Address: District Clerk George Allen Courts Building - 600 Commerce Street, Suite 103,Dallas, TX 75202</b>
---------------------	---

Bonnie Lee Goldstein Robert D. Burns Amanda L Reichel Ken Molberg Dennise Garcia Robbie Partida-Kipness Dale B. Tillery	Email: <a href="mailto:Felicia.pitre@dallascounty.org">Felicia.pitre@dallascounty.org</a> , <a href="mailto:Boyle_clerk@txnd.uscourts.org">Boyle_clerk@txnd.uscourts.org</a> , <a href="mailto:5thTheClerk@txcourts.gov">5thTheClerk@txcourts.gov</a> <a href="mailto:fly@dallascourts.org">fly@dallascourts.org</a>
Raymond G. Wheless	<b>Address: First Administrative Judicial          Region of Texas          2100 Bloomdale Road          McKinney, Texas 75071</b>  Email: <a href="mailto:cshiver@firstadmin.com">cshiver@firstadmin.com</a> , <a href="mailto:Felicia.Pitre@Dallascounty.org">Felicia.Pitre@Dallascounty.org</a>

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 2, 2026.



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A. Fifth Circuit opinion (No. 24-11021, June 10 2025): unpublished, affirming dismissal.

- o Denial of Motion for En Banc Reconsideration, (Nov. 3 2025).



**United States Court of Appeals  
for the Fifth Circuit**

United States Court of Appeals  
Fifth Circuit

**FILED**

June 10, 2025

Lyle W. Cayce  
Clerk

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No. 24-11021

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RUTH TORRES,

*Plaintiff—Appellant,*

*versus*

BONNIE LEE GOLDSTEIN, *In Official Capacity 44th District Court Judge Dallas*; RAYMOND G. WHELESS, *In Official Capacity, Presiding Judge First Administrative Judicial Region*; ROBERT D. BURNS, *In Official Capacity, Chief Justice, Fifth Court of Appeals-Dallas*; AMANDA L. REICHEK, *In Official Capacity, Chief Justice, Fifth Court of Appeals-Dallas*; KEN MOLBERG, *In Official Capacity, Chief Justice, Fifth Court of Appeals-Dallas*; DENNISE GARCIA, *In Official Capacity, Chief Justice, Fifth Court of Appeals-Dallas*; ROBBIE PARTIDA-KIPNESS, *In Official Capacity, Justice Place 2 Fifth Court of Appeals-Dallas*; HONORABLE DALE TILLERY, *In Official Capacity, 134th District Court Judge Dallas,*

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:24-CV-1843

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No. 24-11021

Before SMITH, GRAVES, and ENGELHARDT, *Circuit Judges*.

PER CURIAM:\*

Ruth Torres, proceeding *pro se*, filed a civil rights complaint against several members of the Texas judiciary seeking injunctive, declaratory, and monetary relief. Torres alleged that the defendants violated her constitutional rights by issuing improper rulings and orders in a lawsuit initiated against her in retaliation for being a whistleblower, as well as in related legal proceedings. The district court dismissed the complaint as frivolous and for failure to state a claim upon which relief may be granted. *See* 28 U.S.C. § 915(e)(2)(B). Torres moves to proceed *in forma pauperis* (“IFP”) on appeal, which constitutes a challenge to the district court’s certification that any appeal would not be taken in good faith because Torres will not present a nonfrivolous appellate issue. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

As an initial matter, Torres does not present a nonfrivolous issue for appeal regarding her contention that the district court failed to conduct *de novo* review as demonstrated by the court’s failure separately to provide findings and conclusions for overruling her objections to the magistrate judge’s report and recommendation. Rather, the record reflects that in accepting the report and recommendation, the district court conducted the requisite *de novo* review. *See* FED. R. CIV. P. 72(b)(3).

In addition, the district court’s decision to consider *sua sponte* the applicability of the judicial immunity doctrine does not present a non-frivolous issue for appeal. *See Boyd v Biggers*, 31 F.3d 279, 284 (5th Cir. 1994). Further, Torres’s conclusory assertions, without more, that judicial immunity does not apply because the defendants’ actions were without jurisdiction

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 24-11021

and they were disqualified “due to ultra-vires acts/or crime-fraud exception,” does not arguably state a constitutional violation. *See Koch v. Puckett*, 907 F.2d 524, 530 (5th Cir. 1990). Rather, her allegations all stem from orders the defendants issued in litigation involving Torres. *See Davis v. Tarrant Cnty.*, 565 F.3d 214, 221-22 (5th Cir. 2009). Further, Torres does not challenge the district court’s conclusion that she could not bring a private criminal action against the defendants. Nor does she challenge the decision denying her leave to amend her complaint. Thus, these claims are deemed abandoned. *See Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993); *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

Torres also maintains that the district court abused its discretion in denying her motion for appointment of counsel. However, Torres’s numerous filings in the district court and this court indicate that she has the ability to investigate and present arguments adequately. *See Baranowski v. Hart*, 486 F.3d 112, 126 (5th Cir. 2007). Thus, the district court did not arguably abuse its discretion in denying her motion for the appointment of counsel. *See Cupit v. Jones*, 835 F.2d 82, 86 (5th Cir. 1987); *Ulmer v. Chancellor*, 691 F.2d 209, 212-13 (5th Cir. 1982).

In her final point, Torres contends that the district court erroneously failed to rule on her motion to recuse and motion for change of venue. Although the district court did not explicitly rule on Torres’s motions to recuse and for change of venue, both of which were filed after the magistrate judge issued her report and recommendation, the district court’s denial of the motions is implicit in the court’s entry of final judgment dismissing the complaint. *See Norman v. Apache Corp.*, 19 F.3d 1017, 1021 (5th Cir. 1994). Torres’s allegations of bias are based on adverse rulings and Torres’s erroneous assertion that it was improper for the magistrate judge and district judge to dismiss *sua sponte* her complaint based on judicial immunity. Accordingly,

No. 24-11021

she has failed to show that the district court arguably abused its discretion in denying her motion to recuse. *See United States v. Scroggins*, 485 F.3d 824, 830 (5th Cir. 2007). Likewise, Torres has failed to demonstrate that the district court arguably abused its discretion in denying her motion to change venue, which was based on the purported impartiality of the judges presiding over the instant case. *See Broussard v. State Farm Fire & Cas. Co.*, 523 F.3d 618, 631 (5th Cir. 2008).

Accordingly, Torres has failed to show a nonfrivolous issue with respect to the dismissal of her complaint. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). Her motion to proceed IFP on appeal is therefore DENIED, and the appeal is DISMISSED as frivolous. *See Baugh*, 117 F.3d at 202 n.24; 5TH CIR. R. 42.2. Torres's motions for the appointment of counsel, recusal, and change of venue are also DENIED.

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

June 10, 2025

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW

Regarding: Fifth Circuit Statement on Petitions for Rehearing  
or Rehearing En Banc

No. 24-11021 Torres v. Goldstein  
USDC No. 3:24-CV-1843

Enclosed is a copy of the court's decision. The court has entered judgment under Fed. R. App. P. 36. (However, the opinion may yet contain typographical or printing errors which are subject to correction.)

Fed. R. App. P. 39 through 41, and Fed. R. App. P. 39, 40, and 41 govern costs, rehearings, and mandates. **Fed. R. App. P. 40 require you to attach to your petition for panel rehearing or rehearing en banc an unmarked copy of the court's opinion or order.** Please read carefully the Internal Operating Procedures (IOP's) following Fed. R. App. P. 40 for a discussion of when a rehearing may be appropriate, the legal standards applied and sanctions which may be imposed if you make a nonmeritorious petition for rehearing en banc.

Direct Criminal Appeals. Fed. R. App. P. 41 provides that a motion for a stay of mandate under Fed. R. App. P. 41 will not be granted simply upon request. The petition must set forth good cause for a stay or clearly demonstrate that a substantial question will be presented to the Supreme Court. Otherwise, this court may deny the motion and issue the mandate immediately.

Pro Se Cases. If you were unsuccessful in the district court and/or on appeal, and are considering filing a petition for certiorari in the United States Supreme Court, you do not need to file a motion for stay of mandate under Fed. R. App. P. 41. The issuance of the mandate does not affect the time, or your right, to file with the Supreme Court.

Court Appointed Counsel. Court appointed counsel is responsible for filing petition(s) for rehearing(s) (panel and/or en banc) and writ(s) of certiorari to the U.S. Supreme Court, unless relieved of your obligation by court order. If it is your intention to file a motion to withdraw as counsel, you should notify your client promptly, **and advise them of the time limits for filing for rehearing and certiorari.** Additionally, you MUST confirm that this information was given to your client, within the body of your motion to withdraw as counsel.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Casey A. Sullivan, Deputy Clerk

Enclosure(s)

Ms. Ruth Torres

From: cmecf\_caseprocessing@ca5.uscourts.gov

Subject: Re-send: 24-11021 Torres v. Goldstein "Non Dispositive Court Order denying for rehearing en banc" (3:24-CV-1843)

Date: November 3, 2025 at 5:43:16 PM

To: Ruth Torres [t.ruth828@icloud.com](mailto:t.ruth828@icloud.com)

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\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\* Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

PLEASE DO NOT REPLY TO THIS EMAIL AS IT ORIGINATES FROM AN UNATTENDED EMAIL ADDRESS.

### United States Court of Appeals for the Fifth Circuit

#### Amended 11/03/2025 16:42:59: Notice of Docket Activity

The following transaction was entered on 11/03/2025 at 4:39:54 PM Central Standard Time and filed on 11/03/2025

**Case Name:** Torres v. Goldstein

**Case Number:** [24-11021](#)

**Document(s):** [Document\(s\)](#)

#### Docket Text:

COURT ORDER denying Petition for rehearing en banc filed by Appellant Ms. Ruth Torres [50] Without Poll. Mandate issue date is 11/10/2025; [59] [24-11021] (CAS)

#### Notice will be electronically mailed to:

Ms. Karen S. Mitchell, Clerk of Court: [Dallas\\_Appeals@txnd.uscourts.gov](mailto:Dallas_Appeals@txnd.uscourts.gov)

Ms. Ruth Torres: [t.ruth828@icloud.com](mailto:t.ruth828@icloud.com)

The following document(s) are associated with this transaction:

**Document Description:** Non Dispositive Court Order

**Original Filename:** 24-11021 Order on REH.pdf

**Electronic Document Stamp:**

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**Document Description:** MOT-2 Letter

**Original Filename:** /opt/ACECF/live/forms/CaseySullivan\_2411021\_10712070\_MotionNotice-  
MOT-2\_381.pdf

**Electronic Document Stamp:**

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ca11107bdfd42bae940b1d545dd5faf6cbfbd783cf2f6b6f]]

**Recipients:**

- [Ms. Karen S. Mitchell, Clerk of Court](#)
- [Ms. Ruth Torres](#)

B. District Court opinion (N.D. Tex. No. 3:24-CV-1843, Oct. 17 2024): adopting the magistrate's recommendation.

- Magistrate's Findings and Recommendation (Sept. 24 2024).



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

RUTH TORRES,	§	
PLAINTIFF,	§	
	§	
v.	§	CIVIL CASE NO. 3:24-CV-1843-B-BK
	§	
JUDGE BONNIE LEE GOLDSTEIN,	§	
ET AL.,	§	
DEFENDANTS.	§	

ORDER

Before the court is Plaintiff Ruth Torres’ emergency motion to reconsider motion to seal and emergency motion to reconsider motion for appointment of counsel. Doc. 12.

Plaintiff’s emergency motion to reconsider the order denying her motion to seal the motion to proceed *in forma pauperis* is **GRANTED**. The clerk of the court is **directed** to seal ECF documents Nos. 4, 8, 9, and 12.

Plaintiff’s motion to reconsider the order denying the motion to appoint counsel is **DENIED** as this case is presently undergoing judicial screening. Doc. 6.

**SO ORDERED** on August 27, 2024.

  
 JANE J. BOYLE  
 UNITED STATES DISTRICT JUDGE



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

RUTH TORRES,

Plaintiff,

v.

JUDGE BONNIE LEE GOLDSTEIN, et al.,

Defendants.


§  
§  
§  
§  
§  
§

Civil Case 3:24-cv-1843-B-BK

ORDER ACCEPTING FINDINGS AND RECOMMENDATION OF  
THE UNITED STATES MAGISTRATE JUDGE

The United States Magistrate Judge made findings, conclusions and a recommendation in this case. Plaintiff filed objections, and the District Court has made a *de novo* review of those portions of the proposed findings and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. The objections are overruled, and the Court ACCEPTS the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

SO ORDERED this 17<sup>th</sup> day of October, 2024.

  
JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE



**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>RUTH TORRES,</b>	§	
<b>PLAINTIFF,</b>	§	
	§	
<b>V.</b>	§	<b>CIVIL CASE NO. 3:24-CV-1843-B-BK</b>
	§	
<b>JUDGE BONNIE LEE GOLDSTEIN,</b>	§	
<b>ET AL.,</b>	§	
<b>DEFENDANTS.</b>	§	

**FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636(b) and *Special Order 3*, this *pro se* civil action was referred to the United States magistrate judge for judicial screening, including the entry of findings and a recommended disposition. The Court granted Plaintiff’s motion to proceed *in forma pauperis* but did not issue process pending judicial screening. Doc. 7. Upon review of the relevant pleadings and applicable law, this action should be **DISMISSED WITH PREJUDICE** as frivolous and for failure to state a claim.

**I. BACKGROUND**

On July 19, 2024, Plaintiff Ruth Torres filed a lengthy complaint (199 pages with 20 pages of exhibits) against state court judges in their official capacity: (1) Trial Judges Bonnie Lee Goldstein and Dale Tillery, (2) Administrative Judge Raymond G. Wheless, and (3) Fifth Court of Appeals Justices Robert D. Burns, Amanda L. Reicheck, Ken Molberg, Dennise Garcia, and Robbie Partida-Kipness (collectively “Defendant Judges”). [Doc. 3 at 1](#). The complaint is rambling and largely difficult to decipher. However, what is clear is that Torres’ allegations

concern the rulings Defendant Judges made in Torres' state court cases and appeals. Doc. 3 at 4, 7.

Without much substantive elaboration, Torres asserts the judges (1) violated her due process and equal protection rights, *see, e.g., Doc. 3 at 7, 9, 13, 15*, and (2) engaged in conspiracies to violate her rights and retaliate against her in violation of criminal statutes, 18 U.S.C. §§ 241, 242, *see, e.g., Doc. 3 at 8; Doc. 3 at 21-28, 89, 91*. She alleges:

Texas Trial Court, Texas' Fifth Court of Appeals . . . and TX Supreme Court Judges denied Plaintiff due process and equal protections enabled by the district and Plaintiff[']s clerks and court reporter who refused to release records.” Doc. 3 at 7 (listing cases). As a result, Torres alleges that “dozens of illegal and improper orders remain in effect and enforceable against Plaintiff and multiple Plaintiff's pleadings remain outstanding due to the coordination of government officials, co-conspirators and their attorneys, operating under cover of law, abusing authority to further and conceal their conspiracy and retaliate against Plaintiff, blatantly and repeatedly violating Plaintiff[']s constitutional rights using state authority, state processes, state and municipal government funds and resources.

Doc. 3 at 8.

As relief, Torres requests damages and that all trial court orders entered by the “DISQUALIFIED judges” be stricken and reversed. Doc. 3 at 198-199. She also “seeks immediate relief from state issued VOID Temporary Injunction and . . . contempt orders and Permanent Injunction issued by state of Texas Judicial officers and affirmed by state appellate court officials contrary to facts and law . . . .” Doc. 3 at 4.<sup>1</sup>

## II. ANALYSIS

Because Torres is proceeding *in forma pauperis*, her complaint is subject to screening under 28 U.S.C. § 1915(e)(2)(B). This statute provides for the *sua sponte* dismissal of a

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<sup>1</sup> Torres includes with the complaint copies of trial court orders and appellate opinions and provides a CD with reporter records. Doc. 3 at 200-220; Doc. 3 at 219-20. She also filed pleadings elaborating on her cases and grievances against Defendant Judges. Doc. 14; Doc. 15.

complaint that (1) is frivolous or malicious, (2) fails to state a claim upon which relief may be granted, or (3) seeks monetary relief against a defendant who is immune from such relief. A complaint is frivolous when it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). A complaint lacks an arguable basis in law when it is premised “on an indisputably meritless legal theory,” *Id.* at 327, and fails to state a claim upon which relief can be granted if it does not plead “enough facts to state a claim to relief that is plausible on its face,” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007).

The Court must always liberally construe pleadings filed by *pro se* litigants. See *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (noting *pro se* pleadings “must be held to less stringent standards than formal pleadings drafted by lawyers”); cf. Fed. R. Civ. P. 8(e) (“Pleadings must be construed so as to do justice.”). Even under the most liberal construction, however, Torres’ complaint is frivolous and fails to state a claim.

First, Torres’ complaint runs headlong into judicial immunity. Although Torres’ complaint generally lacks lucidity, as stated *supra*, she clearly asserts claims stemming from Defendant Judges’ actions taken in their official capacities. Doc. 3 at 1. Her allegations and claims against Defendant Judges stem from rulings in state cases and appeals decided by the judges in their respective judicial capacity and function. See *Stump v. Sparkman*, 435 U.S. 349, 361-62 (1978). Thus, Torres’ claims against the judges—whether for injunctive, declaratory, or monetary relief—are barred by judicial immunity. See *Mireles v. Waco*, 502 U.S. 9, 11-12 (1991); *Wightman v. Jones*, 809 F. Supp. 474, 476-79 (N.D. Tex. 1992).

Second, to the extent Torres seeks to file a criminal complaint and allege criminal law violations under 18 U.S.C. §§ 241 and 242, she lacks legal basis. Criminal statutes do not create a private right of action. For a private right of action to exist under a criminal statute, there must

be “a statutory basis for inferring that a civil cause of action of some sort lay in favor of someone.” *Cort v. Ash*, 422 U.S. 66, 79 (1975), *overruled in part by Touche Ross & Co. v. Redington*, 442 U.S. 560 (1979); *see Suter v. Artist M.*, 503 U.S. 347, 363 (1992) (concluding that the party seeking to imply a private right of action bears the burden to show that Congress intended to create one). However, Torres has pled nothing that would even come close to meeting that burden. Moreover, “decisions whether to prosecute or file criminal charges are generally within the prosecutor’s discretion, and, as a private citizen, [the plaintiff] has no standing to institute a federal criminal prosecution and no power to enforce a criminal statute.” *Gill v. Texas*, 153 F. App’x 261, 262-63 (5th Cir. 2005).

### III. LEAVE TO AMEND

Ordinarily, a *pro se* plaintiff should be granted leave to amend her complaint before dismissal, but leave is not required when she has already pled her “best case.” *Brewster v. Dretke*, 587 F.3d 764, 767-68 (5th Cir. 2009). However, for the reasons outlined here, Torres’ claims are fatally infirm. Based on the legal theories and facts Torres posits, she cannot, as a matter of law, state a plausible legal claim. Thus, the Court concludes that Torres has already pleaded her best case and granting further leave to amend would be futile and cause needless delay.

### IV. SANCTION WARNING

Contemporaneously with this action, Torres filed a second lawsuit in this Court alleging False Claims Act and RICO causes that are similarly frivolous. *See United States, ex rel. Torres v. Abbott, et al.*, No. 3:24-CV-1842-X-BK (N.D. Tex. July 19, 2024). Further, state court online records reveal that Torres is a “frequent filer” who has been permanently enjoined from engaging in, or aiding and abetting, the unauthorized practice of law. *See Torres v. Unauthorized Prac. of*

*Law Comm. for the Supreme Court of Texas*, No. 05-21-00651-CV, 2022 WL 4115487, at \*1 (Tex. App.—Dallas, Tex., Sep. 9, 2022).

Considering the foregoing, Torres should be warned that if she persists in filing frivolous or baseless lawsuits, or actions over which the Court lacks jurisdiction, the Court may impose monetary sanctions, bar her from bringing any new action, or subject her to other sanctions the Court deems appropriate. *See Fed. R. Civ. P. 11(b)(2) and (c)(1)* (providing for sanctions against *pro se* litigants or attorneys). Sanctions may be appropriate when a *pro se* litigant has a history of submitting multiple frivolous claims. *Mendoza v. Lynaugh*, 989 F.2d 191, 195-97 (5th Cir. 1993); *see also Whitehead v. Food Max of Miss., Inc.*, 332 F.3d 796, 802-03 (5th Cir. 2003) (a violation of any provision of Rule 11(b) justifies sanctions). *Pro se* litigants have “no license to harass others, clog the judicial machinery with meritless litigation, and abuse already overloaded court dockets.” *Ferguson v. MBank Houston, N.A.*, 808 F.2d 358, 359 (5th Cir. 1986). Moreover, litigants who abuse the judicial process are “not entitled to sue and appeal without paying the normal filing fees -- indeed, are not entitled to sue and appeal, period.” *Free v. United States*, 879 F.2d 1535, 1536 (7th Cir. 1989).


## V. CONCLUSION

For all these reasons, Torres’ action should be **DISMISSED WITH PREJUDICE** as frivolous and for failure to state a claim. *See 28 U.S.C. § 1915(e)(2)(B)*.

In addition, Torres should be **WARNED** that if she persists in filing frivolous or baseless lawsuits, or actions over which the Court lacks jurisdiction, monetary sanctions may be imposed, she may be barred from bringing any new action, or she may be subject to any other sanctions

the Court deems appropriate.

**SO RECOMMENDED** on September 24, 2024.



RENEE HARRIS TOLIVER  
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND  
NOTICE OF RIGHT TO APPEAL/OBJECT**

A copy of this report and recommendation will be served on all parties in the manner provided by law. Any party who objects to any part of this report and recommendation must file specific written objections within 14 days after being served with a copy. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). An objection must identify the finding or recommendation to which objection is made, the basis for the objection, and the place in the magistrate judge's report and recommendation the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996), *modified by statute on other grounds*, 28 U.S.C. § 636(b)(1) (extending the time to object to 14 days).

C. Orders by Judge Bonnie Goldstein:

- 1: TI
- 2: Court Appointment of IT Expert
- 3: GRANT POE Contempt & Sanctions
- 4: Supplemental Contempt
- 5: GRANT DFW Airport Plea to Jurisdiction
- 6: Deny Strike or Reconsider TI
- 7: Deny Texas Citizens Participation Act
- 8: DENY Sanctions & Leave to Amend
- 9: DENY 3<sup>rd</sup> Motion to Amend
- 10: DENY Summary Judgment
- 11: DENY Compel Discovery, PO & Sanctions
- 12: DENY Reconsideration of Order 91a
- 13: DENY Motion for Recusal
- 14: DENY Show Authority
- 15: DENY Motion to Strike
- 16: GRANT POE Motion to Strike Entity Answer
- 17: DENY Recusal

Order by Administrative Regional Judge Ray Wheless:

- 18: Final Order & Permanent Injunction \_Wheless

*Related Orders: \*Note dates\**

19. DENY Appointment of Counsel\_ Kristina Williams
20. DENY M2Dismiss- Texas Citizens Participation Act\_ Kristina Williams
21. DENY Spoliation\_ Kristina Williams
22. Rule 12 PIR\_ Order Appointing Special Panel
23. Rule 12 PIR\_ Order Recusing ARJ Ray Wheless

**Appendix C, Exhibit 1: TI**

NO. DC-16-08711

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<p><b>PURSUIT OF EXCELLENCE, INC.</b></p> <p><b>PLAINTIFF</b></p> <p>vs.</p> <p><b>RUTH TORRES,</b></p> <p><b>DEFENDANT</b></p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p>	<p><b>IN THE DISTRICT COURT OF</b></p> <p><b>DALLAS COUNTY, TEXAS</b></p> <p><b>44TH JUDICIAL DISTRICT</b></p>
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**TEMPORARY INJUNCTION**

ON THIS DAY the Court considered Plaintiff’s Original Petition and Application for Injunctive Relief filed by Pursuit of Excellence, Inc. (“Plaintiff”) against Defendant Ruth Torres (“Defendant”). The Court has read the verified pleadings and has considered the argument of counsel and applicable law.

It appears from the papers on file, the evidence presented at hearing, and the documents produced and entered into evidence, that Plaintiff can show a probable injury and a probable recovery for a cause of action based on that injury, specifically that Defendant probably misappropriated, converted, and/or wrongfully retained certain of Plaintiff’s Confidential Information (as defined below), remains in possession thereof, and is in all probability utilizing the Confidential Information in violation of common law obligations as well as contractual language or course of conduct, to Plaintiff’s irreparable detriment and probable benefit to Defendant.

It appears from the papers on file, the evidence presented at hearing, and the documents produced and entered into evidence that if Defendant is allowed to continue in this course of

behavior, Plaintiff will probably lose or suffer harm to its customer relationships, workplace, good will, and operations.

It also appears from the papers on file, the evidence presented at hearing, and the documents produced and entered into evidence that Plaintiff has suffered and will continue to suffer irreparable harm for which it has or will have no adequate remedy at law because the relationships damaged by continued use or disclosure of Confidential Information will in all likelihood cause irreparable damage to Plaintiff's business model and existence, and there is an immediate and real threat of irreparable harm in that Plaintiff has been and will continue to be damaged and injured by Defendant's conduct, including, but not limited to the loss of customers, the loss of profits, the loss of Confidential Information and the loss of business good will.

The Court finds that Plaintiff is likely to succeed on the merits of this case and that these threats are imminent. Therefore, Plaintiff is entitled to injunctive relief.

It is therefore ORDERED, ADJUDGED AND DECREED that Defendant:

1. Desist and refrain from directly or indirectly utilizing or disclosing any of Plaintiff's "Confidential Information" (any and all technical information of Company, including, without limitation, copyrights, patents, techniques, sketches, drawings, models, inventions, know-how, processes, apparatus, equipment, algorithms, systems information, software programs, software source documents, formulae related to Company's current, future, and proposed products and services, and information concerning research, experimental work, development, design details and specifications, and engineering; non-technical information regarding the business and affairs of Company, including, without limitation, commercial, operational, and financial information, business forecasts and developmental leads, marketing strategies, plans, and related information, procurement requirements, purchasing and manufacturing information, rates and pricing information, sales and merchandising information, customer lists, customer contract terms, supplier/vendor contract terms, earner contract terms, schedules of inventory and accounts receivable, and facility blue prints; and notes, analyses, schedules, compilations, studies or other material prepared by Company, whether in written form or recorded electronically or otherwise, containing or based in whole or in part on those items described above);
2. Desist and refrain from directly or indirectly disposing of any of Plaintiff's Confidential Information;

3. Within ten (10) days of the entry of this Injunction, return all of the originals and copies, including electronic copies or artifacts, of Plaintiff's Confidential Information and other property of Plaintiff in Defendant's possession, including producing all electronic storage devices ("ESD") to an IT expert to be mutually agreed upon within five (5) days of this Order, upon which Plaintiff's Confidential Information was ever stored, to make a mirror image to be preserved by the IT expert, subject to an agreed upon protocol for the destruction of any surviving Confidential Information on Defendant's ESD; but Plaintiff will replace such ESD with new hardware comparable to the existing specifications, with each ESD to be "migrated" one at a time, in the order Defendant chooses, within the most efficient commercial timetable;
4. Desist and refrain from directly or indirectly soliciting Plaintiff's customers or clients, licensees, vendors, licensors, or any other third parties by use or disclosure of Plaintiff's Confidential Information;
5. Desist and refrain from contacting Plaintiff's customers or clients, licensees, vendors, licensors, or any other third parties by use or disclosure of Plaintiff's Confidential Information; and
6. Desist and refrain from directly or indirectly utilizing or disclosing any privileged information learned by Defendant by virtue of any privileged conversations involving Plaintiff's legal counsel.

It is further ORDERED, ADJUDGED, AND DECREED that the Clerk of the Court shall forthwith, issue a temporary injunction in conformity with the law and with the terms of this Order.

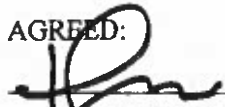
It is further ORDERED, ADJUDGED, AND DECREED that this temporary injunction shall not require a bond.

Trial of this case is SET for December 11, 2016 AG

SIGNED on this the 13<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
JUDGE PRESIDING

AGREED:

  
\_\_\_\_\_  
Harold D. Jones  
Counsel for Plaintiff

  
\_\_\_\_\_  
Ruth Torres  
Defendant

Appendix C, Exhibit 2: Court Appointment of IT Expert

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CAUSE NO. DC-16-08711

PURSUIT OF EXCELLENCE, INC., Plaintiff	§ § § § § § §	IN THE DISTRICT COURT FOR  THE 44TH JUDICIAL DISTRICT  IN DALLAS COUNTY, TEXAS
v.		
RUTH TORRES Defendant		

**ORDER RELATIVE TO**  
**APPOINTMENT OF THE AGREED UPON INDEPENDENT IT EXPERT**

On this date, the Court having reviewed the pleadings on file, noted that it is a suit involving confidential information, including information deemed confidential by law. In order to ensure judicial efficiency, and in the interest of protecting and preserving the confidential nature of the information that may be stored on Defendant's ESBs, consistent with the agreed upon Temporary Injunction issued September 13, 2016, the Court appoints Trident Response Group ("Trident") as the agreed upon IT Expert as set forth in the Temporary Injunction. Trident shall remain neutral and independent in performing services under the Temporary Injunction, shall ensure compliance with the Temporary Injunction and shall protect the confidentiality of the Defendant's personal and professional information unrelated to Pursuit of Excellence, Inc.'s confidential information as well as Plaintiff's confidential information. Such confidentiality shall include non-disclosure of any such information to the opposing party. Any disputes relative to the identification of confidential information, protocol or protective orders shall be submitted to the court for *in camera* review and resolution.

The parties shall arrange for payment of the services to be rendered by the IT Expert.

SIGNED on October 14, 2016.

  
\_\_\_\_\_  
Judge Bonnie Lee Goldstein

**Appendix C, Exhibit 3: GRANT POE Contempt & Sanctions**

**CAUSE NO. DC-16-08711**

<b>PURSUIT OF EXCELLENCE, INC.,</b>	§	<b>IN THE DISTRICT COURT</b>
	§	<b>OF</b>
	§	
<b>Plaintiff,</b>	§	
<b>v.</b>	§	<b>DALLAS COUNTY, TEXAS</b>
	§	
<b>RUTH TORRES, THE HR DOCTOR, LLC, AND HR STRATEGIC CONSULTING, INC.,</b>	§	
	§	
<b>Defendants.</b>	§	<b>44TH JUDICIAL DISTRICT</b>

**ORDER ON PLAINTIFF'S MOTION FOR CONTEMPT AND SANCTIONS**

On May 9, 2018, the Court, having heard Plaintiff Pursuit of Excellence, Inc.'s Motion for Contempt and Sanctions and its Supplement thereto, the Response of Defendant Ruth Torres, the pleadings,<sup>1</sup> evidence, and arguments of counsel and parties, finds the Motion is well-taken and should be GRANTED as follows, based upon the following findings:

1. On September 13, 2016, the parties entered into an Agreed Temporary Injunction ("Agreed Temporary Injunction") that was approved by this Court, has never been dissolved and survived the original Trial Date.
2. On October 14, 2016, the Court order the appointment of an Agreed-Upon IT Expert as set forth in the Agreed Temporary Injunction, and to perform

<sup>1</sup> The Court takes judicial notice that Plaintiff has filed several Motions for Contempt and for Sanctions, filed September 26, 2016, March 22, 2018 and Supplement to the Motion for Contempt filed April 24, 2018. The Court is further aware that the Agreed Temporary Injunction has been discussed and referenced repeatedly since September 2016.

the services outlined in the Agreed Temporary Injunction and specifically mandated that “[a] disputes relative to the identification of confidential information, protocol or protective orders shall be submitted to the court for *in camera* review and resolution.”

3. The Motion for Contempt and for Sanctions was set for hearing on April 4, 2018 under the Court’s Order Setting Show Cause hearing. The Show Cause hearing was held on May 9, 2018.
4. Based upon the arguments presented, although the IT complied with the services to be performed under the Agreed Temporary Injunction relative to the electronic storage devices (“ESD”), Confidential Information subject of the Agreed Temporary Injunction remained in the possession of the Defendant Ms. Torres in her iCloud email account and was thereafter downloaded onto the ESDs and used contrary the express prohibitions outlined in the Agreed Temporary Injunction.
5. At no time prior to the May 9<sup>th</sup> show cause hearing, did Defendant Ms. Torres advise the Court of her retention of the Confidential Information, nor did Defendant Torres present the same to the Court for *in camera* review to resolve the dispute prior to attaching same to pleadings on file with this Court.
6. Defendant Torres currently has Plaintiff’s Confidential Information on her electronic storage devices (ESD) in violation of the Agreed Temporary Injunction.

7. Defendant Torres has knowingly accessed and downloaded Plaintiff's Confidential Information on her ESD via her personal email account in violation of the Agreed Temporary Injunction.
8. Defendant Torres has utilized and/or disclosed Plaintiff's Confidential Information by filing the following materials in court records:
  - a. 2/19/2018 Motion for Summary Judgment, Special Exceptions, Verified Denials, Original Answer, and Affirmative Defenses to Plaintiff's 1st Amended Original Petition
  - b. 3/14/2018 2nd Amended Counter-Claim
  - c. 4/2/2018 Certificate of Verified Response to Discovery
  - d. 4/9/2018 Torres's Original Answer, Motion to Dismiss, Motion for Summary Judgment, Special Exceptions, Verified Denials and Affirmative Defenses to Plaintiff's 2nd Amended Original Petition and 1st Set of Discovery to Defendant
  - e. 4/9/2018 Entity Defendants' Original Answer, Motion to Dismiss, Motion for Summary Judgment, Special Exceptions, Verified Denials and Affirmative Defenses to Plaintiff's 2nd Amended Original Petition and 1st Set of Discovery to Defendant
  - f. 4/11/2018 Verified Application for Emergency TRO, Temporary Injunction, and Permanent Injunction
  - g. 4/11/2018 Verified Application for Emergency TRO, Temporary Injunction, and Permanent Injunction (filed in related case Cause No. DC-17-08581 in the 101st District Court of Dallas County)
  - h. 4/13/2018 Answer to Plaintiff's Motion to Dismiss
  - i. 4/16/2018 Motion to Strike or Reconsider Temporary Injunction
  - j. 4/16/2018 Motion for Contempt, Motion for Spoliation, Motion to Compel Discovery, Motion for Protective Order and Sanctions

- k. 4/16/2018 Motion to Compel Discovery, Motion for Protective Order and Sanctions (filed in related case Cause No. DC-17-08581 in the 101st District Court of Dallas County)
  - l. 4/16/2018 Response to Motion for Protective Order (filed in related case Cause No. DC-17-08581 in the 101st District Court of Dallas County)
  - m. 5/7/2018 Answer to Plaintiffs' Motion for Contempt & Sanctions, Verified Motion to Strike or Reconsider Temporary Injunction
  - n. 5/7/2018 Notice of Non-Party Subpoenas
- (collectively, the "Court Records"); and further

9. Defendant Torres has had substantial and continuous contacts with DFW and other POE clients, including adding DFW as a party to this lawsuit and issuing subpoenas to workers and clients.

10. Defendant Torres acknowledges that she is in possession of everything the Agreed Temporary Injunction was intended to take away.

11. At the Show Cause hearing on May 9<sup>th</sup>, the Court made clear and ordered that Defendant Torres, consistent with the Agreed Temporary Injunction, was:

- a. not to use or disclose the Confidential Information for any purpose, without leave of court upon good cause shown.
- b. not to use any of the files that Defendant Torres had access to under her Google email account without leave of court.

- c. not to use in any court proceeding or attaching any documents to pleadings without leave of court and were required to be submitted in a sealed envelope for *in camera* review and determination.
12. The Court was not inclined to enter death penalty sanctions at the time of the Show Cause hearing but was considering lesser sanctions, including imposition of monetary sanctions and attorneys' fees, notwithstanding the fact that it was unlikely Defendant Torres would be able to pay due to declared indigency.
13. Notwithstanding the clear, unequivocal and express language utilized by the Court in its order as outlined in subparagraph 11, relative to the requirements of the Agreed Temporary Injunction and acknowledged by Defendant Torres, Defendant Torres continued to file among the papers of the Court, the very documents at issue and previously identified in prior pleadings.
14. Based upon Defendant Torres' subsequent violations, Plaintiffs filed another Motion for Contempt and for Sanctions and set the matter for hearing on June 1, 2018.
15. On June 1, 2018, it was brought to this Court's attention that Defendant Torres filed the following pleadings attaching the documents at issue:
  - a. May 15, 2018, Motion to Dismiss Under Texas Citizens Participation Act.
  - b. May 29, 2018, 3<sup>rd</sup> Amended Counterclaim.

16. The Court finds that notwithstanding the clear language of the Agreed Temporary Injunction, the historic admonishments and verbal order on May 9, 2018, from the Court and express acknowledgement by Defendant Torres of the requirements, Defendant Torres continues to violate the terms of the Agreed Temporary Injunction and that such continuous contemptuous conduct merits appropriate sanctions.

IT IS THEREFORE

ORDERED, ADJUDGED, AND DECREED that Plaintiff's Motion for Contempt and Sanctions is GRANTED in part;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant Ruth Torres is hereby held in contempt for utilizing, disclosing, and retaining Plaintiff's Confidential Information in violation of the Agreed Temporary Injunction by specifically retaining Plaintiff's Confidential Information in all forms, including on electronic storage devices, by purposefully downloading them from Defendant Torres' email account.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court Records shall be immediately locked to restrict public access to the Court Records until the Court determines which portions contain Plaintiff's Confidential Information. The Court Records containing Plaintiff's Confidential Information shall be unfiled, removed from the records of this case and refiled without the Confidential Information;

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Defendant Ruth Torres is also held in contempt for knowingly contacting Plaintiff's client Dallas Fort Worth International Airport in violation of the Agreed Temporary Injunction;

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Defendant Ruth Torres is hereby sanctioned for her violations of the Temporary Agreed Injunction and hereby **ORDERS** that:

1. Defendant Torres shall not file any pleading or document without leave of Court;
2. Defendant Torres shall not engage in any discovery, including but not limited to non-party subpoenas, without leave of Court;
3. Defendant Torres shall not access, use, or disclose any of Plaintiff's Confidential Information, including but not limited to, all emails and documents she sent from her Pursuit of Excellence email account to her personal email account on or about June 27 and June 28, 2016, without leave of Court;
4. Defendant Torres shall not contact Plaintiff's customers, clients, licensees, vendors, licensors, employees, contractors, or any other third parties by use or disclosure of Plaintiff's Confidential Information, including but not limited to, all emails and documents she sent from her Pursuit of Excellence email account to her personal email account on or about June 27 and June 28, 2016, without leave of Court;
5. Defendant Torres shall copy onto a thumb drive or similar ESD all POE documents in her personal email account that she transferred from her Pursuit of Excellence email account on or about June 27 and June 28, 2016, including subsequent emails or copies thereof, however maintained or stored, whether electronically or in hard copy which shall be delivered in a sealed envelope and tender the same to David Langford, Official Court Reporter of the 44<sup>th</sup> Judicial District Court within 7 days of the date of this Order. Defendant Torres after copying all POE documents to the thumb drive, shall delete all email records and files obtained or copied from Pursuit of Excellence from her personal ESDs and google email account, including any iCloud or virtual storage account.

6. Defendant Torres shall execute a verified Affidavit attesting to full and complete compliance with the removal of the Pursuit of Excellence documents as stated in subparagraph 5 above, and deletion of all identified POE records within 7 days of this Order.
7. Defendant Torres shall immediately notify the parties and Court if she comes into possession of any of Plaintiff's Confidential Information.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Torres shall pay Plaintiff Pursuit of Excellence, Inc. the sum of \$2500.00 within 7 days of this Order by delivering said payment to the offices of Scheef & Stone, LLP.

#### CONTINUED VIOLATIONS SANCTIONS

The Court further finds that based upon the continued violations after the Show Cause hearing on the Motion for Contempt and for Sanctions held on May 9, 2018, that the lesser sanctions contemplated by this Court, and as ordered herein, will not deter Defendant Torres from continued contempt of Court or violation of the Agreed Temporary Injunction and therefore, the Court hereby advises that violation of any one provision of this Order of Contempt, and sanctions imposed other than the monetary sanction of \$2500 shall constitute immediate direct contempt of this Court's Order. If Defendant Torres commits a further violation under the listed sanctions imposed, numbers 1-7 at pages 7-8 of this Order, this Court will supplement this contempt order to strike Defendant Torres' Causes of Action for

Quantum Meruit and Unjust Enrichment. Any further violations of the Agreed Temporary Injunction may result in additional death penalty sanctions.

SIGNED: June 4, 2018.

  
\_\_\_\_\_  
JUDGE PRESIDING

**Appendix C, Exhibit 4: Supplemental Contempt**

CAUSE NO. DC-16-08711

PURSUIT OF EXCELLENCE, INC.,	§	IN THE DISTRICT COURT
	§	OF
	§	
Plaintiff,	§	
v.	§	DALLAS COUNTY, TEXAS
	§	
RUTH TORRES, THE HR DOCTOR, LLC, AND HR STRATEGIC CONSULTING, INC.,	§	
	§	
Defendants.	§	44TH JUDICIAL DISTRICT

**SUPPLEMENTAL ORDER ON PLAINTIFF'S MOTION FOR CONTEMPT  
AND SANCTIONS**

On May 9, 2018, the Court, having heard Plaintiff Pursuit of Excellence, Inc.'s Motion for Contempt and Sanctions and its Supplement thereto, the Response of Defendant Ruth Torres, the pleadings, evidence, and arguments of counsel and parties, entered an Order on Plaintiff's Motion for Contempt and Sanctions on June 4, 2018 ("Order of Contempt"). That Order specifically held Defendant Torres in Contempt and among the sanctions ordered that

1. Defendant Torres shall not file any pleading or document without leave of Court;

The Court further advised in the Order of Contempt that continued violations would result in additional sanctions, specifically

The Court further finds that based upon the continued violations after the Show Cause hearing on the Motion for Contempt and for Sanctions held on May 9, 2018, that the lesser sanctions contemplated by this Court, and as ordered herein, will not deter Defendant Torres from

continued contempt of Court or violation of the Agreed Temporary Injunction and therefore, the Court hereby advises that violation of any one provision of this Order of Contempt, and sanctions imposed other than the monetary sanction of \$2500 shall constitute immediate direct contempt of this Court's Order. If Defendant Torres commits a further violation under the listed sanctions imposed, numbers 1-7 at pages 7-8 of this Order, this Court will supplement this contempt order to strike Defendant Torres' Causes of Action for Quantum Meruit and Unjust Enrichment. Any further violations of the Agreed Temporary Injunction may result in additional death penalty sanctions.

Notwithstanding the Order of Contempt and the specific sanctions enumerated therein, Defendant Torres filed among the papers of the Court a document on June 5, 2018, at 11:54 a.m. in the form of correspondence directed to the Court relative to the call to trial and outstanding motions and issues. The Court finds that such filing after the Order of Contempt and Sanctions was issued and filed of record on this Court's docket to be direct contempt of this Court's Order of Contempt and therefore:

IT IS ORDERED ADJUDGED AND DECREED THAT Defendant Torres' Causes of Action for Quantum Meruit and Unjust Enrichment are stricken for all purposes and shall not be presented as causes of action in the trial of the merits.

SIGNED: June 5, 2018.

  
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JUDGE PRESIDING

**Appendix C, Exhibit 5: GRANT DFW Airport Plea to Jurisdiction**

CAUSE NO. DC-16-08711

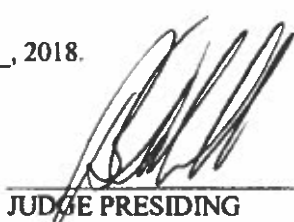
<b>PURSUIT OF EXCELLENCE, INC.,</b>	§	<b>IN THE DISTRICT COURT</b>
<i>Plaintiff,</i>	§	
v.	§	
	§	
<b>RUTH TORRES,</b>	§	<b>44TH JUDICIAL DISTRICT</b>
<i>Defendant,</i>	§	
v.	§	
	§	
<b>DALLAS/FORT WORTH</b>	§	
<b>INTERNATIONAL AIRPORT BOARD,</b>	§	
<b>MARK GALVAN, and MARIE DIAZ,</b>	§	
<i>Third-Party Defendants.</i>	§	<b>DALLAS COUNTY, TEXAS</b>

**ORDER GRANTING DALLAS/FORT WORTH INTERNATIONAL AIRPORT BOARD'S PLEA TO THE JURISDICTION**

ON THIS DAY came to be heard Dallas/Fort Worth International Airport Board's Plea to the Jurisdiction, and the Court, having reviewed the pleadings on file and having heard the arguments of the parties, is of the opinion that the Plea to the Jurisdiction should be and is hereby GRANTED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the claims asserted by Defendant Ruth Torres against Dallas/Fort Worth International Airport Board in her Second Amended Counterclaim are hereby DISMISSED WITH PREJUDICE.

SIGNED this 4<sup>th</sup> day of June, 2018.



JUDGE PRESIDING

**Appendix C, Exhibit 6: Deny Strike or Reconsider TI**

CAUSE NO. DC-16-08711

PURSUIT OF EXCELLENCE,  
INC.,

Plaintiff,

v.

RUTH TORRES, THE HR  
DOCTOR, LLC, AND HR  
STRATEGIC CONSULTING, INC.,

Defendants.

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IN THE DISTRICT COURT  
OF

DALLAS COUNTY, TEXAS

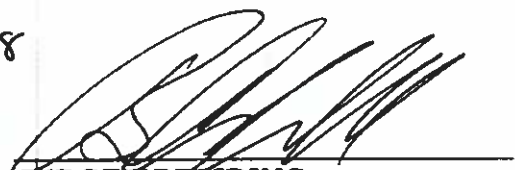
44TH JUDICIAL DISTRICT

**ORDER DENYING MOTION TO  
STRIKE OR RECONSIDER TEMPORARY INJUNCTION**

The Court, having heard the Motion to Strike or Reconsider Temporary Injunction ("Motion") filed by Defendant Ruth Torres on April 16, 2018, the response, evidence, pleadings, and arguments of counsel and parties, finds the Motion lacks merit and should be DENIED.

IT IS THEREFORE ORDERED that Defendant Ruth Torres's Motion is DENIED in its entirety.

SIGNED: June 6, 2018

  
JUDGE PRESIDING

**Appendix C, Exhibit 7: Deny Texas Citizens Participation Act**

CAUSE NO. DC-16-08711

**PURSUIT OF EXCELLENCE,  
INC.,**

**Plaintiff,**

**v.**

**RUTH TORRES, THE HR  
DOCTOR, LLC, AND HR  
STRATEGIC CONSULTING, INC.,**

**Defendants.**

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**IN THE DISTRICT COURT  
OF**

**DALLAS COUNTY, TEXAS**

**44TH JUDICIAL DISTRICT**

**ORDER DENYING DEFENDANT'S MOTION TO DISMISS  
UNDER TEXAS CITIZENS PARTICIPATION ACT**


The Court, having heard the Motion to Dismiss Under Texas Citizens Participation Act ("Motion") filed by Defendant Ruth Torres on May 14, 2018, the response, evidence, pleadings, and arguments of counsel and parties, finds the Motion should be DENIED.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant Ruth Torres's Motion is DENIED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court further finds that the Motion is untimely as being filed close to two years after the filing of the suit as to the majority of the claims, after the 60<sup>th</sup> day after the date of legal service of the two new claims in the Amended Petition filed March 14, 2018, and less than one month before the current trial setting of June 11, 2018, for the sole purpose of increasing Plaintiff's litigation costs. As a result, Defendant Torres is ORDERED to pay Plaintiff attorney's fees to reimburse Plaintiff for the attorney's

fees incurred in filing a response the Motion and appearing for the hearing on the Motion, said fees to be assessed upon submission of an Affidavit establishing said fees at the time of pretrial, June 8, 2018.

SIGNED: June 6, 2018

  
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JUDGE PRESIDING



**Appendix C, Exhibit 9: DENY 3<sup>rd</sup> Motion to Amend**

**CAUSE NO. DC-16-08711**

<b>PURSUIT OF EXCELLENCE, INC.,</b>	§	<b>IN THE DISTRICT COURT</b>
	§	<b>OF</b>
	§	
<b>Plaintiff,</b>	§	
<b>v.</b>	§	<b>DALLAS COUNTY, TEXAS</b>
	§	
<b>RUTH TORRES, THE HR DOCTOR, LLC, AND HR STRATEGIC CONSULTING, INC.,</b>	§	
	§	
<b>Defendants.</b>	§	<b>44TH JUDICIAL DISTRICT</b>

**ORDER REGARDING DEFENDANT'S 3<sup>RD</sup> MOTION FOR LEAVE TO FILE  
AMENDED PLEADING**

The Court, having considered the 3<sup>rd</sup> Motion for Leave to File Amended Pleading ("Motion") filed by Defendant Ruth Torres on May 29, 2018, the response if any, the pleadings, and arguments of counsel and parties, finds the Motion for Leave should be DENIED, in part and GRANTED in part;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant Ruth Torres's Motion for Leave to file the 3<sup>rd</sup> Amended Counterclaim is DENIED to the extent it seeks to file any new claim or amend any claim subject to a prior dispositive motion and order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Ruth Torres's Motion for Leave to file the 3<sup>rd</sup> Amended Counterclaim is GRANTED to the extent the 3<sup>rd</sup> Amended Counterclaim is responsive to the remaining live claims that were subject to the Orders on Special Exceptions for Breach of

Contract/Breach of Duty-Contort, Quantum Meruit and Unjust Enrichment as against Pursuit of Excellence, Marie Diaz and Mark Galvan.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that nothing herein shall affect prior Orders of this Court; specifically:

1. The Court issued an Order of Contempt on June 4, 2018, with sanctions requiring the refiling of enumerated pleadings without attachments, which includes the Third Amended Counterclaim. This Order shall apply to the re-filed Third Amended Counterclaim without attachments.
2. Further, the Court issued a Supplemental Order of Contempt on June 5, 2018, striking Defendant Torres' causes of action for Quantum Meruit and Unjust Enrichment. This Order does not affect the striking of those causes of action.

SIGNED: June 6, 2018

  
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JUDGE PRESIDING

**Appendix C, Exhibit 10: DENY Summary Judgment**

CAUSE NO. DC-16-08711

**PURSUIT OF EXCELLENCE,  
INC.,**

**Plaintiff,**

**v.**

**RUTH TORRES, THE HR  
DOCTOR, LLC, AND HR  
STRATEGIC CONSULTING, INC.,**

**Defendants.**

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**IN THE DISTRICT COURT  
OF**

**DALLAS COUNTY, TEXAS**

**44TH JUDICIAL DISTRICT**

**ORDER DENYING DEFENDANT TORRES'  
MOTION FOR SUMMARY JUDGMENT**

The Court, having heard the Motion for Summary Judgment, ("Motion") filed by Defendant Ruth Torres on April 9, 2018, the response, evidence, pleadings, and arguments of counsel and parties, finds the Motion should be DENIED.

IT IS THEREFORE ORDERED that Defendant Ruth Torres's Motion is DENIED in its entirety.

SIGNED: June 6, 2018

  
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JUDGE PRESIDING

**Appendix C, Exhibit 11: DENY Compel Discovery, PO & Sanctions**

**CAUSE NO. DC-16-08711**

**PURSUIT OF EXCELLENCE,  
INC.,**

**Plaintiff,**

**v.**

**RUTH TORRES, THE HR  
DOCTOR, LLC, AND HR  
STRATEGIC CONSULTING, INC.,**

**Defendants.**

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**IN THE DISTRICT COURT  
OF**

**DALLAS COUNTY, TEXAS**

**44TH JUDICIAL DISTRICT**

**ORDER DENYING DEFENDANT'S MOTION TO  
COMPEL DISCOVERY, FOR PROTECTIVE ORDER AND SANCTIONS**

The Court, having heard the Motion to Compel Discovery, for Protective Order, and for Sanctions ("Motion") filed by Defendant Ruth Torres filed April 17, 2018, the response, evidence, pleadings, and arguments of counsel and parties, finds the Motion should be DENIED.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant Ruth Torres's Motion is in all things DENIED.

SIGNED: June 6, 2018

  
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JUDGE PRESIDING

**Appendix C, Exhibit 12: DENY Reconsideration of Order 91a**

**Appendix C, Exhibit 13: DENY Motion for Recusal**

**CAUSE NO. DC-16-08711**

<b>PURSUIT OF EXCELLENCE, INC.,</b>	<b>§</b>	<b>IN THE DISTRICT COURT</b>
	<b>§</b>	
	<b>§</b>	
<b>v.</b>	<b>§</b>	<b>DALLAS COUNTY, TEXAS</b>
	<b>§</b>	
<b>RUTH TORRES, THE HR DOCTOR, LLC, AND HR STRATEGIC CONSULTING, INC.,</b>	<b>§</b>	<b>44<sup>th</sup> JUDICIAL DISTRICT</b>

**ORDER DENYING DEFENDANT'S MOTION FOR RECUSAL**


The Court, having considered the Verified Motion for Recusal ("Motion") filed by Defendant Ruth Torres and the Plaintiff's response, finds the following:

T.R.C.P 18a "RECUSAL AND DISQUALIFICATION OF JUDGES" provides that a motion to recuse that does not comply with Rule 18a may be denied without an oral hearing. Under T.R.C.P 18a, the motion must not be based solely on the judge's ruling in the case and must not be filed after the tenth day before the date set for trial.

The Plaintiff's motion to recuse is based solely upon the trial judge's rulings in the case and it was filed less than ten days before the pre-trial hearing date. Therefore, the motion does not comply with the requirements of T.R.C.P. 18b.

IT IS, THEREFORE, ORDERED that the motion to recuse filed by Ruth Torres should be, and it hereby is, DENIED.

SIGNED: JUNE 7, 2018

  
JUDGE RAY WHELESS  
REGIONAL PRESIDING JUDGE  
FIRST ADMINISTRATIVE REGION



**Appendix C, Exhibit 15: DENY Motion to Strike**

CAUSE NO. DC-16-08711

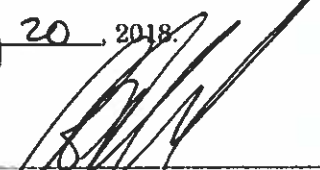
PURSUIT OF EXCELLENCE, INC.,	§	IN THE DISTRICT COURT
	§	OF
Plaintiff,	§	
	§	
v.	§	DALLAS COUNTY, TEXAS
	§	
RUTH TORRES,	§	
	§	
Defendant.	§	44TH JUDICIAL DISTRICT

**ORDER DENYING DEFENDANT'S MOTION TO STRIKE**

After considering Defendant's *Motion to Strike Original Petition, Special Exceptions, Verified Denials, Original Answer, and Affirmative Defenses, Motion to Withdraw as Counsel of Plaintiff and Order on Motion to Withdraw as Counsel of Plaintiff* (the "Motion"), <sup>and reconsidered prior orders, specifically Motion for Summary Judgment</sup> Plaintiff's response thereto, and the pleadings filed herein, the Court finds the Motion ~~is granted~~ and should be DENIED.

IT IS THEREFORE ORDERED that the Motion is DENIED.

SIGNED and ENTERED on February 20, 2018.

  
\_\_\_\_\_  
JUDGE PRESIDING

**Appendix C, Exhibit 16: GRANT POE Motion to Strike Entity Answer**

CAUSE NO. DC-16-08711

PURSUIT OF EXCELLENCE, INC.,	§	IN THE DISTRICT COURT
	§	OF
	§	
Plaintiff,	§	
v.	§	DALLAS COUNTY, TEXAS
	§	
RUTH TORRES, THE HR DOCTOR, LLC, AND HR STRATEGIC CONSULTING, INC.,	§	
	§	
Defendants.	§	44TH JUDICIAL DISTRICT

**ORDER ON PLAINTIFF'S MOTION TO STRIKE**

On this date, came on to be heard, Plaintiff Pursuit of Excellence, Inc.'s Motion to strike the pleadings of corporate entity Defendants The HR Doctor, LLC and HR Strategic Consulting, Inc., and considered the pleadings, the response thereto and the argument of the parties, the Court.

GRANTS the motion and strikes Defendants The HR Doctor LLC and HR Strategic Consulting, Inc.'s pleadings. Defendants have thirty (30) days to retain a duly authorized attorney and file an amended pleading, on or before June 11, 2018. Failure to retain an attorney and file an amended pleading will be treated as no answer for purpose of dispositive motions.

SIGNED: May 11, 2018

  
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JUDGE PRESIDING

**Appendix C, Exhibit 17: DENY Recusal**

**CAUSE NO. DC-16-08711**

**PURSUIT OF EXCELLENCE,  
INC.,**

**v.**

**RUTH TORRES, THE HR  
DOCTOR, LLC, AND HR  
STRATEGIC CONSULTING, INC.,**

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**IN THE DISTRICT COURT**

**DALLAS COUNTY, TEXAS**

**44<sup>th</sup> JUDICIAL DISTRICT**

**ORDER DENYING DEFENDANT'S MOTION FOR RECUSAL**


The Court, having considered the Verified Motion for Recusal ("Motion") filed by Defendant Ruth Torres and the Plaintiff's response, finds the following:

T.R.C.P 18a "RECUSAL AND DISQUALIFICATION OF JUDGES" provides that a motion to recuse that does not comply with Rule 18a may be denied without an oral hearing. Under T.R.C.P 18a, the motion must not be based solely on the judge's ruling in the case and must not be filed after the tenth day before the date set for trial.

The Plaintiff's motion to recuse is based solely upon the trial judge's rulings in the case and it was filed less than ten days before the pre-trial hearing date. Therefore, the motion does not comply with the requirements of T.R.C.P. 18b.

IT IS, THEREFORE, ORDERED that the motion to recuse filed by Ruth Torres should be, and it hereby is, DENIED.

SIGNED: JUNE 7, 2018

  
JUDGE RAY WHELESS  
REGIONAL PRESIDING JUDGE  
FIRST ADMINISTRATIVE REGION

***Appendix C, Exhibit 18, Final & Permanent Injunction***



CAUSE NO. DC-20-07071

UNAUTHORIZED PRACTICE OF LAW  
COMMITTEE FOR THE  
SUPREME COURT OF TEXAS,

Plaintiff,

vs.

RUTH TORRES,

Defendant.

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IN THE DISTRICT COURT

DALLAS COUNTY, TEXAS

192nd JUDICIAL DISTRICT

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FINAL JUDGMENT AND PERMANENT INJUNCTION

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Plaintiff’s Motion for Summary Judgment (the “Motion”) came on for hearing. Defendant Ruth Torres (“Defendant”) was properly served with the Motion and notice of the hearing. The Court, upon consideration of (i) the Motion and any response thereto; (ii) the evidence in the record; and (iii) the arguments of counsel and/or the parties; and (iv) the file in this case, and it appearing that no further issues exist in this action, is of the opinion that Motion should be and therefore hereby is GRANTED in its entirety. It is therefore

**ORDERED, ADJUDGED, AND DECREED** that Plaintiff’s Motion be and hereby is GRANTED in its entirety; it is further

**ORDERED, ADJUDGED, and DECREED** that that the UPLC shall have a permanent injunction against Defendant, along with her agents, servants, and employees, and those persons in active concert or participation with her, such that they are **PERMANENTLY ENJOINED** from engaging in, or aiding and abetting, the unauthorized practice of law in the State of Texas, including without limitation the following:

- a. Representing person(s) other than herself or representing any entity(ies) in any state court in the State of Texas;
- b. Representing person(s) other than herself or representing any entity(ies) any in any federal court in the State of Texas;
- c. Representing person(s) other than herself or representing any entity(ies) any in any state or federal administrative agency in the State of Texas unless the rules of such agency allow such non-lawyer representation;
- d. Preparing and filing for (i) any person(s) other than herself or (ii) any entity(ies) pleadings in any state or federal court or administrative agency in the State of Texas (unless the rules of such agency allow such non-lawyer representation);
- e. Giving of advice or the rendering of any service to any person(s) or entity(ies) requiring the use of legal skill or knowledge;
- f. Charging and/or accepting fees for legal services or representation of any kind in the State of Texas;
- g. Holding herself out in the State of Texas as an attorney or that she is licensed or otherwise permitted to practice law in the State of Texas, including in any letterhead, business cards, state bar number, or federal bar number, etc. which indicate, directly or indirectly, that she is licensed to practice law in any courts of law in the State of Texas unless it is true;
- h. Preparing legal instruments and documents which purport to create or settle rights between third parties, and drafting correspondence regarding legal disputes and rights for their parties;

- i. Negotiating or attempting to negotiate the rights of third parties to disputes involving civil claims, including those against employers;
- j. Interpreting for members of the public the effect and meaning of written contracts;
- k. Soliciting person(s) or entity(ies) to be her “clients” and to allow Defendant to represent them in their legal matters;
- l. Advising person(s) or entity(ies) as to the value of their claims and whether to accept an offer or sum of money in the settlement of personal injury, property, tort, or other claims;
- m. Conducting negotiations with third parties which affected the legal rights of her “clients”;
- n. Advising person(s) or entity(ies) of their rights, duties, and privileges under the law;
- o. Advising person(s) or entity(ies) as to their rights, duties and privileges, and taking action on their behalf as to matters concerning the law;
- p. Drafting legal document, and rendering legal opinions and advice to laymen in connection with the documents;
- q. Assisting laymen in preparing and/or filing pleadings or other documents without the direct supervisory control of an attorney licenses by, and in good standing with, the Supreme Court of Texas; and
- r. Collecting fees for acts constituting the practice of law for which Defendant is not licensed to practice.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that this Permanent Injunction is binding and enforceable by citation of contempt of court and Plaintiff shall have all writs and processes to enforce same; it is further

**ORDERED, ADJUDGED AND DECREED** that costs of Court in the amount of \$308.00 shall be taxed against Defendant. This is a final and appealable judgment which disposes of all claims and all parties.

SIGNED on this 6 day of MAY, 2021.

Hay Wheeler  
JUDGE PRESIDING  
SENIOR JUDGE

CAUSE NO. DC-20-07071

UNAUTHORIZED PRACTICE OF LAW  
COMMITTEE FOR THE  
SUPREME COURT OF TEXAS,

Plaintiff,

vs.

RUTH TORRES,

Defendant.

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IN THE DISTRICT COURT

DALLAS COUNTY, TEXAS

192nd JUDICIAL DISTRICT

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**ORDER DENYING DEFENDANT’S MOTION FOR APPOINTMENT OF COUNSEL**

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On May 3, 2021, Defendant Ruth Torres’s (“Defendant”), Motion for Appointment of Counsel (the “Motion”) came on for consideration in this case, and the Court, after consideration of the Motion, Plaintiff’s Response, the arguments of the Parties, and the file in this case, is of the opinion that the Motion lacks merit and should be **DENIED**.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Motion is **DENIED**.  
5/3/2021 11:37:02 AM

**IT IS SO ORDERED.**

Date: May \_\_, 2021.

  
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JUDGE PRESIDING

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

LuCretia Milam on behalf of Charles Gameros, Jr.  
Bar No. 00796596  
LMilam@LegalTexas.com  
Envelope ID: 52965610  
Status as of 4/30/2021 11:59 AM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
LuCretia Milam		LMilam@LegalTexas.com	4/29/2021 3:49:54 PM	SENT
Douglas Wade Carvell	796316	wcarvell@legaltexas.com	4/29/2021 3:49:54 PM	SENT
CHARLES GAMEROS JR		BGAMEROS@LEGALTEXAS.COM	4/29/2021 3:49:54 PM	SENT

Associated Case Party: RUTH TORRES

Name	BarNumber	Email	TimestampSubmitted	Status
Ruth Torres		t.ruth828@icloud.com	4/29/2021 3:49:54 PM	SENT

CAUSE NO. DC-20-07071

UNAUTHORIZED PRACTICE OF LAW  
COMMITTEE FOR THE  
SUPREME COURT OF TEXAS,

Plaintiff,

vs.

RUTH TORRES,

Defendant.

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IN THE DISTRICT COURT

DALLAS COUNTY, TEXAS

192nd JUDICIAL DISTRICT

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**ORDER DENYING DEFENDANT’S MOTION TO DISMISS  
UNDER TEXAS CITIZENS PARTICIPATION ACT**

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On May 3, 2021, Defendant Ruth Torres’s (“Defendant”), Motion to Dismiss Under Texas Citizens Participation Act (the “Motion”) came on for consideration in this case, and the Court, after consideration of the Motion, Plaintiff’s Response and Surreply, and Defendant’s Supplement, the arguments of the Parties, and the file in this case, is of the opinion that the Motion lacks merit and should be **DENIED**.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Motion is **DENIED** ~~having been overruled by operation of law on March 5, 2021.~~

**IT IS SO ORDERED.**

Date: May \_\_, 2021.

5/5/2021 11:49:01 AM



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JUDGE PRESIDING

### Automated Certificate of eService

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LuCretia Milam on behalf of Charles Gameros, Jr.  
Bar No. 00796596  
LMilam@LegalTexas.com  
Envelope ID: 53041778  
Status as of 5/4/2021 8:29 AM CST

Associated Case Party: RUTH TORRES

Name	BarNumber	Email	TimestampSubmitted	Status
Ruth Torres		t.ruth828@icloud.com	5/3/2021 11:51:42 AM	SENT

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
LuCretia Milam		LMilam@LegalTexas.com	5/3/2021 11:51:42 AM	SENT
Douglas Wade Carvell	796316	wcarvell@legaltexas.com	5/3/2021 11:51:42 AM	SENT
CHARLES GAMEROS JR		BGAMEROS@LEGALTEXAS.COM	5/3/2021 11:51:42 AM	SENT

CAUSE NO. DC-20-07071

UNAUTHORIZED PRACTICE OF LAW  
COMMITTEE FOR THE  
SUPREME COURT OF TEXAS,

Plaintiff,

vs.

RUTH TORRES,

Defendant.

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IN THE DISTRICT COURT

DALLAS COUNTY, TEXAS

192nd JUDICIAL DISTRICT

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**ORDER DENYING DEFENDANT’S NOTICE TO PREVENT SPOILIATION**

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On May 3, 2021, Defendant Ruth Torres’s (“Defendant”), Notice to Prevent Spoliation (the “Motion”) came on for consideration in this case, and the Court, after consideration of the Motion, Plaintiff’s Response, the arguments of the Parties, and the file in this case, is of the opinion that the Motion lacks merit and should be **DENIED**.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the Motion is **DENIED**.

5/3/2021 11:37:17 AM

**IT IS SO ORDERED.**

Date: May \_\_, 2021.

  
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JUDGE PRESIDING

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

LuCretia Milam on behalf of Charles Gameros, Jr.  
Bar No. 00796596  
LMilam@LegalTexas.com  
Envelope ID: 52965610  
Status as of 4/30/2021 11:59 AM CST

Associated Case Party: RUTH TORRES

Name	BarNumber	Email	TimestampSubmitted	Status
Ruth Torres		t.ruth828@icloud.com	4/29/2021 3:49:54 PM	SENT

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
LuCretia Milam		LMilam@LegalTexas.com	4/29/2021 3:49:54 PM	SENT
Douglas Wade Carvell	796316	wcarvell@legaltexas.com	4/29/2021 3:49:54 PM	SENT
CHARLES GAMEROS JR		BGAMEROS@LEGALTEXAS.COM	4/29/2021 3:49:54 PM	SENT

CAUSE NO. DC-20-07071-K

UNAUTHORIZED PRACTICE OF LAW  
COMMITTEE FOR THE SUPREME  
COURT OF TEXAS,

Plaintiff,

v.

RUTH TORRES,  
Defendant.

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IN THE DISTRICT COURT

192ND JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

**ORDER OF RECUSAL**

Being advised of the pleading, parties, issues, and subject matter of the above case, the undersigned voluntarily recuses from hearing any further matters in this cause and requests that Chief Justice Nathan Hecht of the Supreme Court of Texas assign a judge to hear the case.

7/9/2021 5:57:09 AM

Signed on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.



Presiding Judge Kristina Williams



**BEFORE THE PRESIDING JUDGES  
OF THE ADMINISTRATIVE JUDICIAL REGIONS**

**Rule 12 Review of Denial of Access to Judicial Records**

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**Referral to Special Committee**

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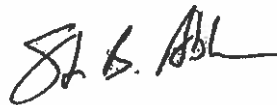
**Re: Appeal No.: 21-001**

**Records Custodian:** Texas Unauthorized Practice of Law Committee

The names of the presiding judges and designated chairman who are selected to serve on the special committee to review the above-referenced appeal are:

Stephen B. Ables, Chairman  
Ray Wheless  
Olen Underwood  
Sid Harle  
Missy Medary

Signed this 15<sup>th</sup> day of January 2021.



---

Stephen B. Ables  
Chairman





# OFFICE OF COURT ADMINISTRATION

DAVID SLAYTON  
Administrative Director

February 1, 2021

Ruth Torres  
P.O. Box 224441  
Dallas, Texas 75222

*Via email: [t.ruth828@icloud.com](mailto:t.ruth828@icloud.com) and U.S. Mail*

Mr. Christopher J. Lowman  
Chair, Texas Unauthorized Practice of Law Committee  
500 Dallas Street, Suite 3030  
Houston, Texas 77002

Re: Rule 12 Petition for Review – No. 21-001

Dear Ms. Torres:

Based upon your objection to the assignment of Judge Ray Wheless on the special committee assigned to the above-referenced appeal, the chair has replaced Judge Wheless with Judge Dean Rucker. Attached is the order assigning the committee.

Very truly yours,

A handwritten signature in blue ink that reads "Shelly Ortiz".

Shelly Ortiz  
Executive Assistant for Legal Division

Enclosure

cc: Zara Stanfield  
Unauthorized Practice of Law Committee  
PO Box 12487  
Austin, Texas 78711-2487

*Via email: [zara.stanfield@texasbar.com](mailto:zara.stanfield@texasbar.com) and U.S. Mail*



## D. Texas Judicial Commission Sanction of Judge Goldstein



# State Commission on Judicial Conduct

## Officers

David C. Hall, Chair  
Ronald E. Bunch, Vice-Chair

## Members

David M. Patronella  
Darrick L. McGill  
Sujeeth B. Draksharam  
Ruben G. Reyes  
Valerie Ertz  
Frederick C. "Fred" Tate  
Steve Fischer  
Janis Holt  
M. Patrick Maguire  
David Schenck



Executive Director  
Jacqueline R. Habersham

August 14, 2020

## PERSONAL AND CONFIDENTIAL

Ruth Torres  
P.O. Box 224441  
Dallas, Texas 75222

Re: CJC No. 19-0483

Dear Ms. Torres

The State Commission on Judicial Conduct considered your complaint during a regularly scheduled meeting. After a thorough review and investigation of the issues you raised in your complaint, the Commission voted to issue the judge a private sanction, the details of which we are not authorized to disclose under Sections 33.032 and 33.033 of the Texas Government Code.

As you have previously been advised, our proceedings are confidential. Therefore, we are prohibited by Section 33.033(c) of the Texas Government Code from identifying by name the judge against whom you complained and against whom the appropriate action was taken.

We sincerely appreciate your concerns, and we thank you for your participation in this process. Your involvement has made a difference. Please continue to assist us in our efforts to maintain the high standards of the Texas judiciary by honoring the rules of confidentiality that govern these proceedings.

Sincerely,

*Jacqueline R. Habersham*

Jacqueline R. Habersham  
Executive Director

JH/mgg



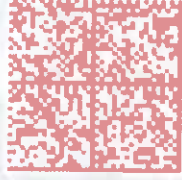


**State Commission  
on Judicial Conduct**

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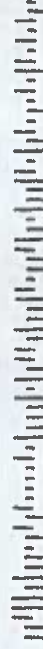


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Ruth Torres  
P.O. Box 224441  
Dallas, Texas 75222

PERSONAL & CONFIDENTIAL

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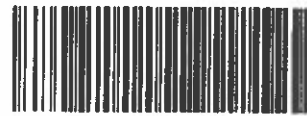


Private Admonition and  
Order of Additional  
Education of a District Court  
Judge (8/12/20)

08/12/2020

The judge failed to comply with the law and maintain competence in the law when she made an oral ruling finding a litigant in contempt rather than entering a specific, written order of contempt. Further, the judge failed to comply with the law and maintain competence in the law, and failed to accord a litigant the right to be heard according to the law, when she issued contempt orders against the litigant for matters about which the litigant did not have the required notice. [Violations of Canons 2A, 3B(2) and 3B(8) of the Texas Code of Judicial Conduct.] Private Admonition & Order of Additional Education of a District Court Judge. 8/12/20.





10M21207463

United States Supreme Court

Recipient:  
**Clerks Office**

Sender:  
**Ruth Torres**

Processed:  
4/2/2026 5:39:21 PM | 565



No. \_\_\_\_\_  
\_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_  
**Ruth Torres** — PETITIONER  
(Your Name)

VS.

**Bonnie Lee Goldstein, et al.** — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

UNITED STATES COURT OF APPEALS, FIFTH CIRCUIT, No. 24-11021

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF TEXAS, No: 3:24-CV-1843

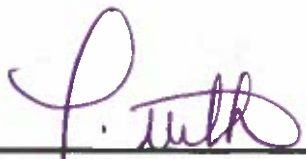
Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: \_\_\_\_\_, or

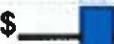







































a copy of the order of appointment is appended.

  
\_\_\_\_\_  
(Signature)

**AFFIDAVIT OR DECLARATION  
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Ruth Torres, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>400.</u>	\$ <u>N/A</u>	\$ <u>400.</u>	\$ <u>N/A</u>
Self-employment	\$ <u>500</u>	\$ 	\$ <u>500.</u>	\$ 
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ 	\$ <u>N/A</u>	\$ 
Interest and dividends	\$ 	\$ 	\$ 	\$ 
Gifts	\$ 	\$ 	\$ 	\$ 
Alimony	\$ 	\$ 	\$ 	\$ 
Child Support	\$ 	\$ 	\$ 	\$ 
Retirement (such as social security, pensions, annuities, insurance)	\$ 	\$ 	\$ 	\$ 
Disability (such as social security, insurance payments)	\$ 	\$ 	\$ 	\$ 
Unemployment payments	\$ 	\$ 	\$ 	\$ 
Public-assistance (such as welfare)	\$ 	\$ 	\$ 	\$ 
Other (specify): _____	\$ 	\$ 	\$ 	\$ 
<b>Total monthly income:</b>	\$ <u>900.</u>	\$ <u>0</u>	\$ <u>900.</u>	\$ <u>0</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
Self Employed	Mesquite, TX 75150 / Washington, DC 20008	January 2024 - Current	\$ 500.
DCPS	4200 Connecticut Ave. Washington, DC 20008	May 2026 - Current	\$ 400.

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
Not Applicable			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 62.00  
 Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
Checking	\$ 2,840.	\$ Not Applicable
Checking	\$ 295.	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

- Home Value Not Applicable
- Other real estate Value Not Applicable
- Motor Vehicle #1 2016 Honda Accord  
 Year, make & model \_\_\_\_\_  
 Value \$ 3,000.
- Motor Vehicle #2 Not Applicable  
 Year, make & model \_\_\_\_\_  
 Value \_\_\_\_\_
- Other assets Description Not Applicable  
 Value \_\_\_\_\_

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>Defendants in</u>	\$ <u>                    </u>	\$ <u>Not Applicable</u>
<u><del>3:24-CV-1842 &amp;</del></u>	\$ <u>\$1.8 million +</u>	\$ <u>                    </u>
<u>3:24-CV-1843</u>	\$ <u>                    </u>	\$ <u>                    </u>

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
<u>                                    </u>	<u>                                    </u>	<u>                                    </u>
<u>                                    </u>	<u>                                    </u>	<u>                                    </u>
<u>                                    </u>	<u>                                    </u>	<u>                                    </u>

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>1,200</u>	\$ <u>Not Applicable</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>Phone 100</u>	\$ <u>                    </u>
Home maintenance (repairs and upkeep)	\$ <u>Not Applicable</u>	\$ <u>                    </u>
Food	\$ <u>650</u>	\$ <u>                    </u>
Clothing	\$ <u>100</u>	\$ <u>                    </u>
Laundry and dry-cleaning	\$ <u>40</u>	\$ <u>                    </u>
Medical and dental expenses	\$ <u>40</u>	\$ <u>                    </u>



	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 100	\$ Not Applicable
Recreation, entertainment, newspapers, magazines, etc.	\$ _____	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ Not Applicable	\$ _____
Life	\$ _____	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ 120	\$ _____
Other: _____	\$ Not Applicable	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ Not Applicable	\$ _____
Installment payments		
Motor Vehicle	\$ _____	\$ _____
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____
<b>Total monthly expenses:</b>	<b>\$ 2350</b>	<b>\$ _____</b>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes     No    If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form?     Yes     No

If yes, how much? \_\_\_\_\_

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes     No

If yes, how much? \_\_\_\_\_

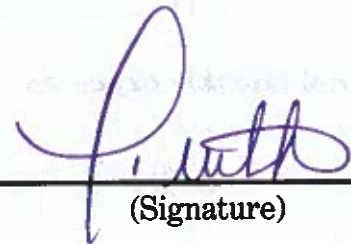
If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

Due to the harm caused by Defendants and permanent injunction which enjoins me from working in my field of Human Resources absent a law license, therefore I am a law student pursuing my Juris Doctorate and incurring student loans to cover expenses.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: \_\_\_\_\_ March 26, 2026



\_\_\_\_\_  
(Signature)